

Northern New Mexico Riparian, Aquatic, and Wetland Restoration Project Environmental Assessment

Response to Comments

On October 4, 2019, a scoping notice designed to elicit comments, concerns, and issues pertaining to the proposed action was sent to 675 interested parties such as agencies, organizations, permittees, and interested stakeholders. This notification announced the opportunity to comment on the proposed action; comments were requested within thirty days of receipt of the letter. In response to the Forest Service's solicitations for public comment, 32 submissions were received. All comment letters were reviewed to identify issues and concerns that could be addressed through modifications to the proposed action, alternative development, or additional analysis. All contact information from the scoping comments was entered into a database. All substantive comments were considered in the development of a Draft EA.

Upon completion of the Draft EA, a Legal Notice for the *Northern New Mexico Riparian, Aquatic, and Wetland Restoration Project* was published on May 1, 2020 in the *Albuquerque Journal*, the newspaper of record. Legal notices were also published in the Taos News and Union County Leader. This legal notice announced the opportunity to comment on the Draft EA and initiated the 30-day comment period per 36 CFR 218.25. The comment period elicited 29 comment submissions. All comment letters were reviewed, and contact information for each was entered into a database. These comments provide the foundation on which this Response to Comments is based. The comments raised by the public included, but were not limited to, the following topics: Purpose and Need; Proposed Action; Proposed New Alternative; Range of Alternatives; Design Criteria; Best Available Information/Baseline Data; Riparian Vegetation; Water Resources; Air Quality and Climate Change; Fish and Wildlife; Threatened and Endangered Species/Special Status Species; Tribal Interests and Traditional Cultural Resources; Land Use, Recreation, and Special Designations; Livestock Grazing; NEPA; Other Laws/Regulations; Relationship to Other Forest Service Plans; and Public Outreach.

Names and affiliations of those who submitted comments on the EA are:

Ben, Abruzzo, Ski Santa Fe, Sandia Peak Ski Area

Mike Bremer, THPO Pueblo de San Ildefonso

James Coleman, Mountain Capital Partners

Chris Cudia

Michael Dax, Defenders of Wildlife

Jesse Deubel, NM Wildlife Federation

Logan Glasenapp, New Mexico Wild

Garrett Hanks, Trout Unlimited

Thomas Jervis, New Mexico Audubon Council

Craig Jolly

Linton Judycki, Red River Ski Area

James Kenney, New Mexico Environment Department

Jeremy Romero, National Wildlife Federation

Rolf Schmidt-Petersen, New Mexico Interstate Stream Commission

Rich Schrader, RiverSource

Mary Steigerwald

Joe Trudeau, Center for Biological Diversity

Jeff Witte, New Mexico Department of Agriculture

Matt Wunder, New Mexico Department of Game and Fish

Purpose and Need

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
46	016	Wunder	Matt	New Mexico Department of Game and Fish	Page 3, Purpose and Need. Riparian ecosystems provide important movement corridors for aquatic and terrestrial wildlife. The Department recommends adding objectives that include habitat connectivity and refugia that allow wildlife populations to adapt or adjust their movements (seasonal migration, foraging, etc.) in response to trends in climate or anthropogenic landscape use.	PN-1	The Forest Service should add more biological objectives to the purpose and need.	In accordance with NEPA, the Forest Service has discretion to establish the purpose and need for action (40 CFR 1502.13). CEQ regulations direct that an EA "...shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action" (40 CFR 1502.13). The objectives requested in the comment are encompassed by the bulleted list in Chapter 1, <i>Purpose and Need</i> , of the Final EA. See for example, "Manage the composition and productivity of key riparian vegetation to protect or enhance wildlife habitat and habitat for riparian-dependent species". Since riparian areas are linear features on the landscape, protection or enhancement of riparian areas would support wildlife migration corridors. Acknowledgement of the importance of riparian areas as movement corridors and refugia has been added to Chapter 1, <i>Background</i> , and in Chapter 3, <i>Terrestrial Wildlife and Special Status Species, Environmental Consequences</i> .	Added more text on habitat connectivity and refugia to Chapter 1, <i>Background</i> , and in Chapter 3, <i>Terrestrial Wildlife and Special Status Species, Environmental Consequences</i> .

Proposed Action

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04	002	Cudia	Chris		Improving management activities so their implementation does not result in resource degradation rather than mitigate impacts after the fact would be a more direct and optimal approach.	PA-1	The Forest Service should clarify the difference between the terms "restoration" and "mitigation" and should use proactive livestock grazing management to prevent riparian degradation rather than restoration or mitigation as proposed in the EA.	The objective of the project is not improved range management but, instead, improved riparian and aquatic conditions, and all project-related activities proposed are intended to meet that objective. The project aims to maintain and enhance watershed and range health by working in concert with other law, regulation, and policy to facilitate, and in many cases accelerate, the restoration of these systems. Restoration is defined as movement toward desired conditions, which are defined in the EA, and which are aspirational and do not include specific completion dates (per 36 CFR 219.7).	Included definition of restoration as "movement toward desired conditions" under "Existing and Desired Conditions" header.
06	002	Cudia	Chris		Some of the practices presented such as fencing are both appropriate and effective when part of an integrated grazing management strategy. Yet the USFS has apparently decided to addresses range management issues outside the range management program. Proposed fencing and other structural elements designed to control grazing in sensitive areas should originate in the range program. Creating riparian pastures (as opposed to enclosures), would result in	PA-1		As stated in the Final EA, in Chapter 1 under <i>Issue 1 – Livestock Grazing</i> , "Changes to permitted grazing are outside the scope of this effort." This text has been augmented for clarity in the Final EA.	Included in the EA the following statement: "The objective of the Project is not improved range management but, instead, improved

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					resource recovery while facilitating rotation strategies that expand management options for grazing permittees. In contrast, fencing for riparian enclosures, by design, effectively limits/restricts grazing management options.			Changes to permitted grazing occur when the Forest Service administers Term Grazing Permits. Permitted use is authorized annually prior to the grazing season based on past, current, and predicted range conditions. There is congressional mandate to allow grazing on suitable lands through laws such as the Multiple Use and Sustained Yield Act of 1960, Forest and Rangeland Renewable Resource Planning Act of 1974, Federal Land Policy and Management Act of 1976, National Forest Management Act of 1976. Forage-producing National Forest System lands will be managed for livestock grazing and the allotment management plans will be prepared consistent with land management plans (36 CFR 222.2). Unless otherwise specified by the Chief of the Forest Service, all grazing and livestock use on National Forest System lands and on other lands under Forest Service control must be authorized by a grazing or livestock use permit (36 CFR 222.3).	riparian and aquatic conditions, and all project-related activities proposed are intended to meet that objective.”
08	002	Cudia	Chris		The USFS unwillingness to focus efforts on the root cause of resources degradation precludes long term recovery. Most of the mitigation practices presented in the draft EA have utility but none of them are a substitute for sound management. Mitigation-centric approaches create a slippery slope because they provide cover for problematic management practices. This subsequently perpetuates the problem.	PA-1			Included the definition of “Desired Condition” as a footnote.
14	002	Cudia	Chris		Please describe how the proposed action will achieve its intended goals when the primary stressor is not being addressed.	PA-1		Appendix B of the EA identifies a number of aquatic restoration, categories, and design criteria. The EA recognizes that certain types of projects may limit grazing opportunities; however, design criteria implemented in a site-specific area may include off-site waters to ameliorate these effects.	
18	002	Cudia	Chris		Please provide rationale for mitigating symptoms rather than addressing the underlying problem, i.e. the management practices that got us here in the first place.	PA-1		In addition, restoration activities may increase forage availability over time as recovery of these systems are realized. “Over the long term, riparian restoration proposed under the plan would result in improved rangeland and forage. Enhanced watershed and range health would occur as a result of the restoration of riparian, wetland, and associated upland habitats, which would promote species recovery and diversity, allowing for sustainable grazing” (see Chapter 3, <i>Grazing Management, Environmental Consequences</i> of the Final EA).	
19	002	Cudia	Chris		Has the USFS transitioned to a strategy that prioritizes mitigating resource degradation after it occurs rather than adjusting management practices so that degradation doesn’t occur in the first place? If not, please dispel the apparent contradiction.	PA-1			
20	002	Cudia	Chris		Please explain how treating symptoms rather than the problem will achieve intended long-term recovery outcomes.	PA-1		There are no permitted livestock within the Frijoles Reach area. However feral livestock do come in the geographic areas of Bandelier National Monument, Santa Fe National Forest, San Ildefonso Pueblo, and the Department of Energy. Feral livestock can be removed per 36 CFR 262.10, Impoundment and disposal of unauthorized livestock.	
27	010	Jolly	Craig		On page 9, under the heading "Issue 1— Livestock Grazing” and the sub-heading “ How Issue 1 is Addressed”, all reference is to fencing and infrastructure. But additional fencing is essentially worthless if current fencing is not compliant with USFS standards, not checked and monitored consistently by both permittees and Forest Service staff, not	PA-1		NRCS 2016 was cited to support the description of existing conditions and to explain that, depending on the level of intensity, livestock grazing can affect root production and	

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					repaired immediately, and if cattle are consistently on the wrong side of it for days and weeks on end, all of which is regularly the case on the SFNF. This is ultimately not a fencing failure at all, but a management failure--a gross and persisting failure by SFNF personnel to follow their own Federally mandated institutional policies regarding both monitoring and exacting penalties for non-compliant permittees, including financial penalties and forfeiture of permits. Both the breadth and the persistence of these issues have demonstrated all too clearly that the Santa Fe National Forest continually fails to comply with written Forest Service policy and fails to hold permittees responsible for cattle that leave their assigned allotments and congregate in areas in which they are not permitted, including and most often, in riparian areas where they are not permitted. The effect of this is ongoing cattle-related resource damage outside of assigned allotments not only on the Forest's own lands, but also on the lands of the neighboring Park Service, State Park Land, and Pueblos, which means that the full extent of damages to water and riparian resources by SFNF-permitted cattle actually exceed what has been measured by the the Forest, since additional damage is occurring outside of National Forest land proper.			water infiltration and absorption. This source also describes best practices for ensuring rangeland health, suggesting that when properly managed, prescribed livestock use successfully manipulates vegetation and, by association, riparian and wildlife habitats.	
28	010	Jolly	Craig		Widespread systemic failure by the Regional Forester, the relevant Forest Supervisors, and the individual District Rangers to correct the longstanding Northern New Mexico Forest Service grazing program's culture of wink-and-a-nod non-enforcement of already existing policies on all of these Forests, which itself—and not simply fencing--is the root of most of the existing off-allotment trespass problems --will otherwise doom from the very start much of what this initiative seeks to accomplish.	PA-1			

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29	010	Jolly	Craig		Given the above, this EA needs a far more explicit and stringent monitoring and enforcement component with an explicit commitment by all three National Forests to actually upholding the terms of their own issued grazing permits, AOIs, and Allotment Plans.	PA-1			
33	010	Jolly	Craig		Furthermore, since this sensitive riparian location (Frijoles Reach) has seen incursions and damage from cattle from the Caja del Rio allotments, from which it is not currently protected by fencing, including SFNF-permitted cattle trespassing onto the Bandelier National Monument side of the river, which is part of this same Frijoles Reach, there is a clear need for the SFNF, in cooperation with the BOR and Bandelier National Monument, to address the pressing issue of current cattle access to this SWFL habitat as part of this project.	PA-1			
09	002	Cudia	Chris		The term “restoration” is used generically throughout the document. It is also treated as though synonymous with mitigation but these are not synonymous terms. Proposed actions are primarily designed to mitigate impacts from past/present management which places this proposed action squarely in the mitigation category.	PA-1			
11	002	Cudia	Chris		Please replace the word restoration with a term that accurately reflects what is being proposed and/or make it clear that the proposed action does not aspire to the highest ecological/function-based standard that defines restoration. Alternatively, please provide a list of systems the USFS has successfully “restored” so that the public may understand your precise meaning.	PA-1			
62	017	Trudeau	Joe	Center for Biological Diversity	It is the Forest Service’s ambivalence towards riparian ecosystem health that allowed unmanaged grazing to degrade these systems, and in the absence of clear reductions in stocking and absolute exclusion of cows from riparian areas, this project will only perpetuate that negligence.	PA-1			

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64	017	Trudeau	Joe	Center for Biological Diversity	The DEA cites an NRCS technical paper in an attempt to justify the value of livestock grazing. That paper states that there are four basic keys to grazing management: stocking rate, livestock rotation, utilization rate, and plant rest and recovery. ¹² Based off of this trusted source, then the Forest Service must address these four key aspects of grazing management is they plan on seeing any recovery of degraded riparian areas. We suggest: reduce upland stocking to match the natural capacity of natural water sources, rotate livestock far away from wetlands and streams, utilize zero percent of riparian vegetation, and rest these areas permanently.	PA-1			
21	003	Dax	Michael	Defenders of Wildlife	the Forest Service should include an additional project category focused on translocating beavers between appropriate areas of suitable habitat across the three forests. Not only would this complement each of the five project categories currently included in the draft EA, but the Forest Service possesses full authority to take this action.	PA-2	The Forest Service should include beaver translocation in the proposed action and include measures to prevent commercial and recreational beaver trapping and address human conflicts with beavers.	The purpose of the proposed action is to restore riparian, aquatic, and wetland habitat to conditions that support suitable habitat for wildlife species such as beaver. Upon restoration of riparian systems, the Forest Service expects that beaver will naturally disperse into areas that contain suitable habitat. If source populations are not present, the Forest Service may work with the New Mexico Department of Game and Fish to translocate beavers into suitable habitat.	None.
91	021	Romero	Jeremy	National Wildlife Federation Cosigned by Jesse Deubel, NM Wildlife Federation	We applaud the Forest Service for including recognition of beaver restoration as an important part of its watershed and aquatics strategy; however, there are several areas of the planning document that could be improved to more fully comply with the 2012 National Forest Planning Rule’s requirements for climate resiliency and ecological integrity, as well as to reflect current scientific research and practical experience. Accordingly, we recommend modification of the Plan to strengthen the attention given to the ecological and economical value ^[1] that beavers have on the SFNF ecosystem, as well as downstream users. Specifically, the Plan should more explicitly facilitate and prioritize restoration of beavers to unoccupied but suitable habitat.	PA-2		Beaver reintroduction is not proposed in the EA. Management of beaver populations across the landscape falls under the purview of the New Mexico Department of Game and Fish. This proposed action focuses on habitat restoration.	None.

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93	021	Romero	Jeremy	National Wildlife Federation Cosigned by Jesse Deubel, NM Wildlife Federation	With the restoration of beavers on the landscape, occasional conflict with human-built structures or activities is likely to occur. Therefore, a guideline addressing how land managers are to resolve conflict to sustain and protect ecological integrity is necessary. Due to the value of beavers and beaver habitat on the ecosystem, management options should prioritize non-lethal techniques, such as using pipes to reduce water levels, notching dams to restore streamflow, pond levelers, beaver deceivers, fencing and other non-lethal strategies including live-trapping and relocation. We recommend that the Forest Service adopt a guideline advising that lethal removal will only be considered after non-lethal strategy options have been exhausted.	PA-2		Beaver population management is outside the scope of this project. Conflicts do arise and the Forest Service coordinates with the New Mexico Department of Game and Fish to address these conflicts.	None.
22	003	Dax	Michael	Defenders of Wildlife	the Cibola, Gila and Lincoln National Forests are all closed to commercial and recreational beaver trapping for restoration purposes. In order to realize the full effect of riparian restoration efforts, the Santa Fe and Carson National Forests should consider a similar closure to ensure beaver restoration is successful.	PA-2		Commercial and recreational trapping for beavers is legal and is regulated by the NM Department of Game and Fish. Discussion or questions on trapping laws should be forwarded to the NM Department of Game and Fish. Forest closure to commercial and recreational beaver trapping is outside the scope of this proposal.	None.

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47	016	Wunder	Matt	New Mexico Department of Game and Fish	Page 14, and B-49, Riparian Vegetation Treatment (Prescribed Fire). This section states: “Conduct prescribed fire to help restore openings, meadows and plant species that would occur under normal fire regimes.” The design criteria include using both low and medium severity fires within riparian habitat. Data on historic fire regimes within riparian ecosystems is limited, but is thought to have been relatively uncommon (Dwire and Koffman 2003, Friggens et al. 2013, Webb et al. 2019). Although prescribed fire may be useful for increasing structural habitat diversity, preventing catastrophic wildlife, and acting as an important disturbance event to remove litter and downed timber in areas where natural flooding does not occur, there is currently little information on the effectiveness of prescribed fire as a restoration tool or post-fire rehabilitation techniques (Webb et al. 2019). Multiple interacting factors may influence post-fire outcomes, including hydrologic conditions and streamflow regimes, depth to groundwater, vegetation community composition, grazing/browsing pressure, and climate conditions (Dwire and Kauffman 2003, Glenn and Nagler 2005, Smith et al. 2009, Stromberg and Rychener 2009, and Kazynski and Cooper 2015). Although many native woody riparian species can resprout following fire, altered hydrologic regimes and increased fire frequency and severity can cause declines in abundance and regeneration of native riparian species and facilitate expansion of non-native, drought-tolerant, vegetation (Busch 1995, Busch and Smith 1993, Smith et al. 2009, Friggens et al. 2013, Smith and Finch 2017, and Webb et al. 2019).	PA-3	The Forest Service should acknowledge the risks and uncertainties regarding the impacts of using prescribed fire as a restoration tool. Provide more specific criteria for use of prescribed fire, including design criteria.	Prescribed fire is one important tool in the flexible toolbox as described in Chapter 2 of the Final EA under <i>Proposed Action, Potential Project Categories</i> . If this treatment were removed it would make restoration in some respects more difficult, potentially requiring more mechanized equipment for longer duration. An approach without prescribed fire could still create the potential to alter hydrologic regimes or leave large amounts of fuels present. Additionally, if the No Action Alternative were selected then fuels would continue to accumulate, increasing the probability of a catastrophic wildfire coming through and consuming large portions of the vegetation, further altering the hydrology of the ecosystem. Though prescribed burning can have negative consequences on the landscape as the commenter mentioned, catastrophic wildfires can often be even more devastating. According to Stephen and Moghadda (2005, Experimental fuel treatment impacts on forest structure, potential fire behavior, and predicted tree mortality in a California mixed conifer forest), using both prescribed fire and mechanical treatment or even just prescribed fire was more successful at reducing certain effects of catastrophic wildfire than mechanical treatments alone. The Final EA in Chapter 3, <i>Aquatic Wildlife–General and Special Status Species, Environmental Consequences</i> , states, “...vegetation treatments would increase the resiliency of adjacent stands against uncharacteristic wildfire, which would otherwise lead to reduced water quality (e.g., from deposition of sediment and ash).” Therefore, it is simply one of many tools used to try and restore riparian areas and allows for greater chance of preventing catastrophic wildfires from further degrading the function of these areas. The last sentence in the comment further provides support that catastrophic wildfires, which have increased in severity and at times depending on vegetation, increased the fire frequency, can cause harm to riparian areas. The EA includes design criteria in Appendix B; some of those design criteria include limits on severity and when prescribed fire is applied, other considerations such as site-specific consultations with other specialists, and burn plan requirements (see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> in the Final EA). In this EA, by limiting the severity and fire frequency, and by implementing the design criteria provided in Appendix B, prescribed fire can be one of tools used to potentially improve riparian and wetland areas. For example, one case study found that prescribed fire was a successful restoration tool for forest stands (Keifer, Stephenson, and Manley 2000, Prescribed fire as the minimum tool for wilderness forest and fire regime	None.

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								<p>restoration: A case study from the Sierra Nevada, California), and another found that prescribed fires often burn less severely than wildfires, potentially protecting treated areas from future wildfires (Arkel and Pilliod 2010, Prescribed fires as ecological surrogates for wildfires: A stream and riparian perspective).</p> <p>It should also be noted that some of the literature provided by the commentors indicates that surrounding vegetation is a larger driver and that in some instances fire severity and fire frequency can be the same as upland vegetation indicating that those riparian areas burned (Dire and Kauffman 2003). There may be more research needed in terms of the effects of using prescribed fire riparian areas, however, completely excluding fire from these ecosystems will not necessarily result in the same problems previously encountered in the upland vegetation. Lack of fire on the landscape leads to a buildup of fuels in majority of North American ecosystems, which can include riparian ecosystems.</p>	
112	027	Glasenapp	Logan	New Mexico Wild	While we recognize the utility of prescribed fire as a tool of the Forest Service’s arsenal to conduct restoration projects, we are concerned about the limited research and data available on historic fire regimes within riparian ecosystems and the long term ecological impacts of prescribed fire. For this reason, we encourage the Forest Service to limit the use of prescribed fire only to low intensity fires, rather than low and medium intensity as currently contemplated by the draft EA. There may certainly be research and data published in the coming years that will shed light on the utility of medium intensity fires on riparian habitats but until then the Forest Service	PA-3		Currently within the document only "severity" is used to describe the type of prescribed burning, with clearly defined criteria (see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA). While not included in the EA, “intensity” is another unit of measure that is strictly used as a measurement defining heat output (see, for example, Fire intensity, fire severity and burn severity: A brief review and suggested usage by J.E. Keeley in International Journal of Wildland Fire 2009). It has been documented that prescribed burns reduce the severity of wildfires (Experimental fuel treatment impacts on forest structure, potential fire behavior, and predicted tree mortality in a California mixed conifer forest, Stephen and Moghadda 2005). Furthermore, moderate severity is outlined only under specific criteria (see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA). If	None.

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					should use prescribed fire in limited situations and only at low severity.			the type of severity if reduced to “low” there would be fewer opportunities to treat and at times fewer opportunities to fully meet objectives to reduce fuel loadings. See also response to previous comment.	
113	027	Glasenapp	Logan	New Mexico Wild	Finally, we encourage specifically tailored fire management directives when it is to be used within Congressionally designated areas or inventoried roadless areas. Fire can have a particularly damaging effect on an area’s apparent naturalness and it should be analyzed separately and adequately before projects are approved.	PA-3		Due to the complexity of the area encompassed by the EA and the variety of different watersheds, stakeholders, and Forests, providing "specifically tailored fire management directives" would be difficult. Chapter 1 of the Final EA under <i>Issue 4—Collaboration with Other Agencies and Organizations</i> states: "The agency will coordinate with stakeholders, as appropriate, for site specific projects." This is further addressed in Chapter 2 of the Final EA under <i>Alternative B, Proposed Action</i> : "Restoration would be implemented using project specific design criteria and a consistent method to design, implement, monitor, and document project implementation and effectiveness (See Appendix B)." This would include evaluating each site and conducting site specific requirements as determined in the NEPA document and within each Forest's Burn Plans (see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA). Burn Plans are an additional evaluation process, that occurs prior to a prescribed burn taking place.	None.
48	016	Wunder	Matt	New Mexico Department of Game and Fish	In addition, post-fire flooding events can have detrimental impacts on native fish populations (Whitney et al. 2016), and some species, such as southwest willow flycatchers, depend on dense understory vegetation.	PA-3		Post-fire flood events that affect native fish populations are generally associated with catastrophic wildfires that burn at high intensity, underscoring the need to manage vegetation. It is anticipated that prescriptions for any fire use within riparian areas would be designed to restore and maintain riparian habitat diversity to benefit a variety of species. For instance, southwestern willow flycatchers are often found in these areas that have a variety of vegetation seral states.	None.

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49	016	Wunder	Matt	New Mexico Department of Game and Fish	The Department suggests limiting design criteria to low severity fires, and using prescribed fire in combination with restoring natural flow regimes, remediating native vegetation, removing non-native vegetation, mechanical reduction of fuel loads, and improving habitat connectivity. We recommend including more specific criteria for use of prescribed fire, and developing best management practices. Monitoring hydrologic conditions and post-fire outcomes will also provide important information to guide future management decisions.	PA-3		<p>Limiting design criteria to only include low severity fires (defined in Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA) can limit treatments and overall reduce effectiveness in certain instances, as opposed to also including moderate severity (defined in Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA) for specific instances needing to accomplish the objectives. According to Hunter et al. (2011, Short- and long-term effects on fuels, forest Structure, and wildfire potential from prescribed fire and resource benefit fire in Southwestern forests, USA), moderate severity prescribed fire was better able to reduce surface and canopy fuel loads compared to low severity prescribed fire, and thus better able to reduce encroaching vegetation. Burning only under low severity further reduces the number of days one could effectively treat an area. It would also limit the use of prescribed burning to meet treatment objectives or to meet an overall objective to improve function of a specific riparian area.</p> <p>The only time moderate severity burns are permitted within the EA are to restore deciduous trees and lessen undesired encroaching vegetation (see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA). These criteria already indicate that moderate severity burns serve in limited role with definable perimeters, specifically “where necessary to lessen undesired encroaching vegetation or invigorate decadent aspen stands, willows, and other native deciduous species” (see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA).</p> <p>It is difficult to determine site-specific criteria (for general criteria, see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA) since this project spans over three forests and multiple watersheds. Each of these that require a prescribed burn will be followed up with a burn plan and additional evaluations from specialists including silvicultural, hydrologists, and biologists depending on the site (see Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of the Final EA). If site-specific criteria were applied to these large-scale landscapes, it often makes it difficult to meet the needs of all those landscapes. Therefore, providing board criteria (following current administration, policy and national guidelines, as well general criteria in Appendix B, <i>Activity-Specific Design Criteria, Riparian Vegetation Treatments</i> of</p>	None.

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								<p>the Final EA) and then evaluating the site-specifics within the burn plan is a more tailored approach, providing more benefit to the actual site. It should be noted that any applicable design criteria in Appendix B of the EA would be followed, and that projects must follow Clean Water Act 404 permitting and New Mexico 401 water quality certification requirements as well as other environmental laws and policies.</p> <p>In terms of monitoring, Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation and Monitoring, and Documentation</i> of the Final EA outline that monitoring will take place both during and after a project has occurred, "Post project - A post-project review shall be conducted after winter and spring high flows...." as well as what the options are for different types of monitoring depending on the treatment.</p>	
77	018	Hanks	Garrett	Trout Unlimited	We applaud the Forest Service in their attempt to allow for flexibility, but in some ways, as commented below, we would hope to see even greater ability for adaptive management covered in this Proposed Action rather than the need for additional future NEPA actions.	PA-4	The proposed action should be modified to increase flexibility and adaptive management, such as allowing work during low flow periods and expanding temporary fish passage barriers.	<p>The EA aims to enhance flexibility for projects on the ground. The Flexible toolbox approach is described in Chapter 2, <i>Alternative B, Proposed Action, Flexible Toolbox Approach</i> of the Final EA. The flexibility incorporated into the EA allows for application of the appropriate tool, including design criteria, to be applied where it best fits the on-site conditions. Monitoring and adaptive management would be implemented to ensure project success. Design criteria would be applied as applicable to projects, but not all design criteria would be applied for each project. The EA would not prevent work outside of low flow times or use of temporary or electronic fish barriers.</p>	None.
78	018	Hanks	Garrett	Trout Unlimited	Wording that precludes work outside of low flow times in rivers and wetlands seems overly cautious, especially given that in certain situations high flow is easier, less impactful, and more feasible for contractors to operate.	PA-4		<p>The intent is to conduct these restoration activities in the least impactful and efficient manner, while providing for reasonable protection of natural and biological resources.</p>	

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79	018	Hanks	Garrett	Trout Unlimited	Rather than go through the rigorous engineering to build a structure that withstands major floods, many examples of more simple and temporary barriers could be utilized. The Forest Service has used “backcountry barriers” effectively elsewhere, comprised mostly of wood from on or near site. Increasingly available electronic barriers are also becoming recognized as highly effective tools. So, in the spirit of a flexible toolkit, we hope that fish barriers will become more accessible and widespread, and tailored to different specifications in different stream types and for different fish species.	PA-4		Use of natural materials may be emphasized, but ultimately barriers must be designed to function at a variety of flow conditions or projects and populations can be compromised.	
81	018	Hanks	Garrett	Trout Unlimited	Erosion Control Structures, Headcut and Grade Stabilization · Reduce negative sedimentation and erosion o Not all erosion or sedimentation is bad. In some cases, we wish to promote sedimentation to best heal downstream impacts · Source and use native and natural materials first, only bringing in nonnative and manmade materials where necessary · Stabilize headcuts and excessive erosion o Not all erosion problems come in the form of headcuts	PA-5	Commenters suggested specific changes to the proposed action.	It is inferred in the category of <i>Instream, side-channel, and floodplain projects</i> that the intent of this category is to address "negative" sources of erosion and sedimentation. All examples listed in this category of project seek not only to "reduce erosion and sedimentation", but also seek to increase floodplain connectivity, water infiltration, and improve/increase riparian vegetation. If these objectives are attained, the "negative" erosion and sedimentation is addressed. Preference would be given to use of native and natural materials in implementation of this type of project and give consideration to the cost effectiveness and environmental impacts of materials used in restoration activities.	None.
95	022	Kenney	James	New Mexico Environment Department	One-rock dams are different from check dams and should be explicitly listed in the EA.	PA-5			
96	022	Kenney	James	New Mexico Environment Department	In addition, some of the structures listed in the two publications above will be applicable to the Groundwater dependent ecosystems: restoration of seeps and springs category, but this category in the EA does not have an associated list. [EMPSI note - these are the two Zeedyk publications]	PA-5		Appendix B of the EA was modified to include examples of projects that could be done to restore seeps and springs, and a reference was made to the publications suggested by the commentor as additional sources.	In Appendix B, <i>Project Categories, Groundwater-Dependent and Groundwater-Recharge Ecosystems</i> of the Final EA, under the Restoration of Springs and Seeps category, stated: “Restore seeps and springs to their

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									desired conditions through projects such as fencing, log or rock covers, and others discussed in publications such as Zeedyk and Vrooman (2017) and Walton et al. (2014).”
97	022	Kenney	James	New Mexico Environment Department	Porous Road Fill is an additional structure/technique that should be considered for the road and trail erosion, relocation and decommissioning category, which would allow water to move under sections of roads instead of concentrating in an erosive manner.	PA-5		The EA has been revised to include the use of porous road fill where the Road and Trail Erosion, Relocation and Decommissioning category is discussed.	Added: Porous Road Fill to Road and Trail Erosion, Relocation and Decommissioning category, Chapter 2, <i>Alternative B, Proposed Action, Potential Project Categories</i> of the EA and Appendix B, <i>Activity Specific Design Criteria, Road and Trail Erosion Control, Relocation, and Decommissioning.</i>

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94	022	Kenney	James	New Mexico Environment Department	<p>Several restoration tools should be added into the EA.</p> <p>Although the design toolbox approach is commendable, the EA seems to omit some important tools. For the Instream, Side-Channel, and Floodplain Projects category, pages 13 and B-32 list structure types for Erosion control structures, headcuts, and grade stabilization. SWQB recommends including additional structures on the list: one-rock dams, plug and pond structures, sod plugs, log mats, and rock/log rundowns. The structures are described in two SWQB publications available on our website (https://www.env.nm.gov/surface-water-quality/wetlands-technical-guides/) and are suitable for many areas covered under the EA:</p> <p>1) Zeedyk, B., Gadzia, T.E. and M. Walton. 2014. Characterization and Restoration of Slope Wetlands in New Mexico: A Guide for Understanding Slope Wetlands, Causes of Degradation and Treatment Options. New Mexico Environment Department, Surface Water Quality Bureau, Wetlands Program.</p> <p>2) Zeedyk, W.D. and S. Vrooman (2017). The Plug and Pond Treatment: Restoring Sheetflow to High Elevation Slope Wetlands in New Mexico. New Mexico Environment Department, Surface Water Quality Bureau Wetlands Program (NMED-SWQB).</p>	PA-5		<p>The structure types noted in your comment have been added to appropriate project categories. However, the EA does not include an exhaustive list of all structure types that could be used for restoration projects. Structures that are not explicitly stated in the EA could be used for restoration projects if they achieve the same result and have the same impacts as are analyzed in the EA.</p>	<p>Added: one-rock dams, plug and pond structures, sod plugs, log mats, and rock/log rundown to Side-Channel, and Floodplain Projects category, in Chapter 2, <i>Alternative B, Proposed Action, Potential Project Categories, Instream, side-channel, and floodplain projects</i> of the EA and Appendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects</i>.</p> <p>Added: 1) Zeedyk, B., Gadzia, T.E. and M. Walton. 2014. Characterization and Restoration of Slope Wetlands in New Mexico: A Guide for Understanding Slope Wetlands, Causes of Degradation and Treatment Options. New Mexico Environment Department, Surface Water Quality Bureau, Wetlands Program.</p> <p>2) Zeedyk, W.D. and S. Vrooman (2017). The Plug and Pond Treatment: Restoring Sheetflow to High Elevation Slope Wetlands in New Mexico. New Mexico Environment Department, Surface</p>

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									Water Quality Bureau Wetlands Program (NMED-SWQB) to Appendix B References.
84	018	Hanks	Garrett	Trout Unlimited	Channel Reconstructroction/ Relocation · ...reconnect and restore relic side channels or <i>create new ones</i>	PA-5		EA already includes text allowing for creation of new side channels. New off-channel habitat may be "constructed" as cited in Appendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Channel Reconstruction/Relocation and Off-Channel and Side-Channel Habitat Restoration, Channel Work.</i>	None.
85	018	Hanks	Garrett	Trout Unlimited	Fish passage barriers · Generally, <i>but not always</i> , created of concrete	PA-5		The EA has been revised to add language to the description of Fish Passage Barriers in Appendix B, <i>Activity-Specific Design Criteria, Aquatic Organism Passage Projects, Fish Passage Barriers</i> encompassing natural or manmade materials.	Modified language in Appendix B, <i>Activity-Specific Design Criteria, Aquatic Organism Passage Projects, Fish Passage Barriers</i> as follows: Fish passage barriers are structures installed in stream channels to prevent the upstream migration of nonnative fish that are detrimental to native species. Structures are generally constructed

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									of a concrete wall for upstream and downstream erosion protection or may involve augmentation of an existing natural geologic barrier with natural or manmade materials .
86	018	Hanks	Garrett	Trout Unlimited	Streambank Restoration · Bank toe Sometimes a bank toe’s position and location should be changed to benefit the site. More flexibility would be better suited to the type of restoration this document promotes	PA-5		The design criteria in Appendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Streambank Restoration</i> of the Final EA stating "Without changing the location of the bank toe" has been revised to remove that phrase and qualify that the bank toe location could be changed unless deemed appropriate by a hydrologist through a site-specific evaluation.	Changed text for clarity.
82	018	Hanks	Garrett	Trout Unlimited	Streambank Restoration · Remove artificially. o Altered streambanks, no matter the cause should be eligible for restoration under this program. Consider a post fire flood’s impacts for an example of a natural process that still may benefit from restoration	PA-5		The term "artificially" is used within the EA and Appendix B to denote situations where land management activities or infrastructure has resulted in conditions departed from a natural condition. The example of a post-fire flood impact on a streambank is valid, but flooding is a natural event, even in a post-fire scenario. However, once a system has stabilized and is not meeting desired conditions even in a post-fire scenario, streambank restoration tools would be appropriate.	None.
83	018	Hanks	Garrett	Trout Unlimited	Legacy Structure Removal · Include Riprap	PA-5		The EA has been revised to include riprap in "rock and gabion grade controls" as cited inAppendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Legacy Structure Removal</i> .	Added "such as riprap" to text inAppendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Legacy Structure Removal..</i>

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111	027	Glasenapp	Logan	New Mexico Wild	I. Activities taking place in or near Congressionally designated areas and inventoried roadless areas We appreciate the statements of the Forest Service that activities would be prohibited in or near wild and scenic river segments, Wilderness areas, and inventoried roadless areas. We are concerned, however, that these statements do not appear to be included as a desired condition or other management directive. They are included, it seems, as explanations of the proposed action. For example, page 95 of the draft EA states “No action would be authorized unless it was determined it would maintain or improve wilderness character as a whole...” This statement, and others like it concerning wild and scenic rivers and inventoried roadless areas, appears under the heading “Environmental Consequences.” It is possible that this is a simple oversight or a case of confused semantics, but it should be corrected before this project is finalized and signed.	PA-6	The EA should more explicitly state the protections to specially designated areas in the proposed action.	<p>All congressionally designated areas would be managed according to the laws and regulations they are defined by. For instance, as stated in Chapter 3, <i>Recreation and Congressionally Designated Areas, Environmental Consequences, Alternative B: Proposed Action</i> of the Final EA, wild and scenic rivers would be managed in accordance with Section 7 of the Wild and Scenic Rivers Act and in accordance with the Forest and Grassland Land Management Plans. Wilderness would be managed according to the Wilderness Act and a Minimum Requirements Decision Guide would be required to comply with the Wilderness Act (Chapter 3, <i>Recreation and Congressionally Designated Areas, Environmental Consequences, Alternative B: Proposed Action</i> of the Final EA). Inventoried Roadless Areas would similarly be managed by the 2001 Roadless Rule (Chapter 3, <i>Recreation and Congressionally Designated Areas, Environmental Consequences, Alternative B: Proposed Action</i> of the Final EA).</p> <p>The proposed action would not prohibit activities in congressionally designated area, though as stated above, any activities would be in compliance with applicable laws and regulations. The Final EA has been revised to reflect the activities that may occur in Inventoried Roadless Areas and to include consideration of congressionally designated areas in the Project Implementation Checklist (see Chapter 3, <i>Recreation and Congressionally Designated Areas, Environmental Consequences, Alternative B: Proposed Action</i> and <i>Appendix C</i> of the Final EA). The impacts on these special areas are described in Chapter 3, Recreation and Congressionally Designated Areas. For instance, “activity, equipment, and vehicles associated with the proposed actions may temporarily (days to weeks) generate light, dust, emissions, or noise, or be a source of visual disruption...”</p>	Updated activities that would be allowed in IRAs and included consideration of congressionally designated areas in the Appendix C Project Implementation Checklist.

Proposed New Alternative

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74	017	Trudeau	Joe	Center for Biological Diversity	In scoping, we stated: “Because of the impacts of domestic livestock grazing on riparian, aquatic, wetland, and watershed ecosystems, and because the continuance of domestic livestock grazing exacerbates ongoing stressors such as drought, climate change, recreation pressure, and invasive species, we propose a reasonable alternative for comparison. Our alternative is simple: We request that a stand-alone alternative is analyzed that includes the currently proposed restoration interventions, plus 1) the closure of all riparian, aquatic, and wetland ecosystems to all domestic livestock grazing, and 2) a reduction in upland livestock stocking levels to reduce erosion and pollution of riparian systems where that is identified as a problem.” Such an alternative is needed.	NA-1	The Forest Service should consider an alternative that includes changes to livestock grazing management and/or closes riparian, aquatic, and wetland systems to livestock grazing and reduces upland livestock grazing stocking levels.	According to CEQ regulations, the Forest Service is to develop alternatives to address unresolved conflicts concerning alternative uses of available resources (40 CFR 1501.2(c)). Forest Service regulations state that an alternative should meet the purpose and need and address one or more significant issues related to the proposed action (36 CFR 220.5(e)). The purpose and need for the project is stated in Chapter 1. The objective of the project is not improved range management but, instead, improved riparian and aquatic conditions, and all project-related activities proposed are intended to meet that objective. The purpose and need does not include the intent to increase livestock forage. The EA does acknowledge that “Over the long term, riparian restoration proposed under the plan would result in improved rangeland habitat and forage. Enhanced watershed and range health would occur as a result of the restoration of riparian, wetland, and associated upland habitats, which would promote species recovery and diversity, allowing for sustainable grazing” (Final EA, Chapter 3, <i>Grazing Management, Environmental Consequences, Alternative B: Proposed Action, Direct and Indirect Effects</i>). Section 18 reviews, codified in Chapter 90 of the Forest Service Handbook, ensure that grazing decisions are evaluated in a timely manner (normally within 10 years, the span of an issued Term Grazing Permit) to identify any changed conditions or other factors which may lead to the reanalysis of a NEPA grazing decision. This is within the philosophy of an adaptive management strategy, since livestock grazing is so variable and dynamic based on past, current, and future management within the constraints of a number of factors including but not limited to climate, vegetation conditions, and other resource concerns. It should also be noted that incidental unauthorized livestock use will continue to be monitored, and instances of unauthorized use will be addressed in a timely manner. The Forest Service can modify and terminate permits for grazing occurring outside of the scope of authorizations.	Issue 1, Livestock Grazing in Chapter 1 (see Chapter 1, <i>Issues</i>)of Final EA) was revised to clarify why changes to permitted grazing are outside the scope of this effort and explain better how changes to grazing are implemented. An errata to the Final EA included discussion of an alternative that would eliminate grazing in riparian areas and reduced upland stocking levels to Chapter 2, <i>Alternatives Considered but Eliminated from Detailed Study</i> . It was determined that this alternative was not feasible and dismissed from further analysis in the EA.
13	002	Cudia	Chris		Please explain why this decision includes a multitude of range management-related elements when grazing was determined to be outside the scope of the decision.	NA-1			
15	002	Cudia	Chris		Please describe how excluding range from the scope influences the significance of impact for this decision.	NA-1			
61	017	Trudeau	Joe	Center for Biological Diversity	It is clear that the ultimate goal with the NNMRAWR is to increase riparian forage for livestock. That is precisely why we cannot support this project, and we will continue to not support this project, until permanent exclosure fencing ⁷ is made a mandatory component of all individual projects implemented under the NNMRAWR. The Forest Service should make the changes now that will be required at some point in the near future if ecological catastrophe is to be averted. It’s imperative that grazing is permanently excluded from riparian, wetland, and aquatic ecosystems, and imperative that grazing is excluded from any area where	NA-1			

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					individual projects are implemented under the NNMRAWR.			While the proposed alternative was considered and dismissed from further analysis, elements of the proposed alternative are included in the proposed action. For example, riparian exclosures are one of the tools included, where they are often paired with riparian vegetation planting and instream structures. Using the flexible toolbox approach detailed in the proposed action allows the right tool to be used in the right place, which is more practical and feasible than fencing all riparian areas in the project area, which is outside to scope of this decision.	

Range of Alternatives

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76	017	Trudeau	Joe	Center for Biological Diversity	We would strongly support it if our alternative which we presented in scoping was analyzed and selected for implementation. But, the DEA falsely claims that “No additional alternatives in the scope of this analysis were suggested by ... the public.” ²³ That is just not true.	RA-1	The Forest Service has not provided a rationale for why an alternative suggested during scoping was not considered.	<p>According to CEQ regulations, the Forest Service is to develop alternatives to address unresolved conflicts concerning alternative uses of available resources (40 CFR 1501.2(c)). Forest Service regulations state that an alternative should meet the purpose and need and address one or more significant issues related to the proposed action (36 CFR 220.5(e)).</p> <p>An alternative that proposed exclusion of livestock from riparian, aquatic, and wetland ecosystems and reduction of upland livestock stocking levels was suggested in response to scoping. While the Forest Service considered this comment, the project did not analyze the effects of this suggested alternative because it does not meet the purpose and need and is thus not within the scope of the analysis. As such, an errata to the final EA for Chapter 2, <i>Alternatives Considered but Eliminated from Detailed Study</i> determined that " ... an alternative that closes all riparian areas from grazing and reduces upland stocking levels is not feasible." The objective of the project is not improved range management but, instead, improved riparian and aquatic conditions, and all project-related activities proposed in this EA are intended to meet that objective. Chapter 1, <i>Issue 1—Livestock Grazing</i>, has been revised to clarify why changes to livestock grazing are outside the scope of this effort and better explain how changes to grazing are implemented.</p>	<p>Issue 1 has been revised to clarify why changes to livestock grazing are outside the scope of this effort and better explain how changes to grazing are implemented.</p> <p>An errata to the Final EA included discussion of an alternative that would eliminate grazing in riparian areas and reduced upland stocking levels to Chapter 2, <i>Alternatives Considered but Eliminated from Detailed Study</i>. It was determined that this alternative was not feasible and dismissed from further analysis in the EA.</p>

Design Criteria

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23	009	Jervis	Thomas	New Mexico Audubon Council	we are very concerned that the monitoring section (pp B-7-8) calls only for a “walk through” post-assessment. There is no provision for long-term assessment of the efficacy of the proposed projects. This is exactly why these habitats are degraded, because there is no effective long-term monitoring of forest restoration activities. A comprehensive plan for long-term monitoring is an essential element of the restoration activities proposed	DC-1	The EA must include a comprehensive plan for long-term monitoring.	Project monitoring is described in Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation and Monitoring, and Documentation, Step 4 – Project implementation and monitoring</i> of the Final EA and does not limit monitoring to a walk-through. As stated in Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation and Monitoring, and Documentation, Step 4 – Project implementation and monitoring</i> , "Other standard monitoring surveys and techniques may include, but would not be limited to, stream inventories, proper functioning condition assessments, water quality, substrate sampling, vegetation surveys, and soil and watershed condition assessments." If needed, these would be conducted over the long term. Monitoring requirements specific to certain resources are also stated elsewhere in the Final EA (e.g., Appendix B, <i>Design Criteria Applicable to All Project Categories, Species Specific Conservation Measures, , Appendix B, Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Channel Reconstruction/Relocation and Off-Channel and Side-Channel Habitat Restoration, Mitigation Design Criteria</i>). Implementation monitoring and adaptive management strategies are noted in the Project Implementation Checklist in Appendix C.	None.
53	016	Wunder	Matt	New Mexico Department of Game and Fish	B-7, Monitoring. The EA should include more specifics and outline detailed methods for monitoring that includes designated timing and duration of monitoring, and quantitative criteria that can inform adaptive management and ensure that restoration projects meet objectives.	DC-1			
52	016	Wunder	Matt	New Mexico Department of Game and Fish	The EA references Best Management Practices (BMPs) throughout the document, yet rarely indicates the source or provides citations for specific BMPs. The Department recommends including a reference for each BMP, or adding a section that describes the BMPs in more detail.	DC-2	The Forest Service should provide references for each design criteria or describe them in more detail.	The design criteria in the EA were developed from a number of resources, including those cited at the end of Appendix B, and are generally accepted practices. The Forest Service hosted an interdisciplinary, interagency meeting in April 2019 to discuss and develop design criteria.	None.

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102	022	Kenney	James	New Mexico Environment Department	Also, any construction activities associated with this project may cause temporary increases in dust and emissions from earthmoving, construction equipment, and other vehicles. Areas disturbed by these activities within and adjacent to the project area should be reclaimed to avoid long-term problems with erosion and fugitive dust.	DC-3	The EA should require reclamation of areas impacted by erosion and fugitive dust.	As required by 40 CFR 1502.16, the EA provides a discussion of the environmental impacts of the alternatives, including the proposed action. The Forest Service provided sufficiently detailed information to allow the public to understand the environmental consequences associated with the alternatives. Impacts related to erosion are adequately described in the Final EA starting in Chapter 3, <i>Soil Resources</i> and the EA acknowledges the potential for short-term increases in erosion when vegetation is removed. Impacts from temporary dust generation are described on in Chapter 3, <i>Recreation and Congressionally Designated Areas, Environmental Consequences, Alternative B: Proposed Action</i> of the Final EA. Emissions has been added to the discussion referenced in Chapter 3, <i>Recreation and Congressionally Designated Areas, Environmental Consequences, Alternative B: Proposed Action</i> . The Final EA includes design criteria for site rehabilitation, including seeding or planting which would reduce the likelihood of erosion (Appendix B, <i>Design Criteria Applicable to All Project Categories, General Aquatic Conservation Measures, Site Restoration</i>).	Added "emissions" to the discussion in Chapter 3, <i>Recreation and Congressionally Designated Areas, Environmental Consequences, Alternative B: Proposed Action</i> .

Best Available Information/Baseline Data

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92	021	Romero	Jeremy	National Wildlife Federation Cosigned by Jesse Deubel, NM Wildlife Federation	Comment letter provides background information/citations for the effects of beavers on ecosystems. These were not substantive comments requiring a response but should be reviewed.	N/A	None.	The Forest Service has reviewed and considered additional reference information that the commenter provided.	None.
01	001	Steigerwald	Mary		Without seriously addressing the issue of livestock grazing on the national forest, this project is not complete	BA-1	The Forest Service must better describe the impacts from livestock grazing on riparian, aquatic,	It is the intent of this effort to achieve desired conditions and objectives. As stated by the Final EA, the purpose of this project is to “maintain or enhance watershed and range health by restoring riparian, wetland, and associated upland and aquatic habitats; promoting species recovery and diversity;	Changed Chapter 1 to state “It is the intent for this project to work in coordination with other programs

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03	002	Cudia	Chris		Existing condition is the manifestation of decades of land use/management practices. Whatever caused watersheds and riparian areas to be functioning at risk in the first place (i.e. past/present management practices) is the actual “problem” but the draft EA fails to address this in a straightforward manner.	BA-1	and wetland areas, as well as populations of riparian- and aquatic-dependent species; explain causal factors pertaining to riparian degradation; and cite additional scientific literature such as sources suggested by the public during public scoping.	and allowing for grazing and sustainable human uses, such as hunting, fishing, and recreation, as required by the Land and Resource Management Plans for the Carson, Cibola and Santa Fe National Forests and the Kiowa National Grasslands (USFS 1985, 1986, 1987, 2012a).” These Land and Resource Management Plans, as well as the management of existing uses on the Forest(s), are within the framework of existing law, regulation, and policy. This project would maintain and enhance watershed and range health by working in concert with other law, regulation, and policy to facilitate and in many cases accelerate the restoration of these systems. Activities proposed to facilitate recovery of riparian areas are intended to complement existing direction mandated in other programs including but not limited to livestock grazing. As such, this project is not intended to directly address livestock grazing and would not result in reduced livestock permits or exclude grazing in particular areas. All project-related activities proposed in the EA are intended to improve riparian, aquatic, and wetland conditions.	to achieve Desired Conditions and Objectives.” Changed Chapter 3 (revised text in Chapter 3, <i>Grazing Management</i>) to state: “...prescribed livestock use successfully manipulates vegetation, and subsequently riparian and wildlife habitats while implementing best practices to ensure rangeland health.”
59	017	Trudeau	Joe	Center for Biological Diversity	In our scoping comments, submitted on 11/4/2019, we stressed the need for reducing the impact that livestock are having on riparian areas, wetlands, and aquatic ecosystems. In that letter, we cited dozens of scientific articles and agency documents to support our position that livestock must be excluded from these habitats if they are to be restored. Unsurprisingly, we have been ignored, as just a couple of the papers which we presented appear in the DEA.	BA-1	Additionally, Forest Service must explain how the conclusion of benefits to riparian areas from livestock management was drawn from sources cited in the EA.		
75	017	Trudeau	Joe	Center for Biological Diversity	The DEA states that a purpose of the project is to “Provide the necessary habitat to maintain or increase populations of riparian- and aquatic-dependent species, such as the New Mexico meadow jumping mouse, southwestern willow flycatcher, Rio Grande cutthroat trout, Rio Grande chub, Rio Grande sucker, boreal toad, and northern leopard frog.” ²⁴ In our scoping comments, we went into great detail on how livestock grazing is a direct threat to three of these species. Unfortunately, the DEA does not address our concerns, and does not provide any cogent rationalization for how the proposed action will accomplish the project purpose.	BA-1		The following is a description of laws providing authorization and direction regarding livestock use on National Forest Lands. As stated by the Multiple Use and Sustained Yield Act of 1960, it is the policy of the Congress that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes. It is further emphasized by the Forest and Rangeland Renewable Resource Planning Act of 1974, that to serve the national interest, the renewable resource program must be based on a comprehensive assessment of present and anticipated uses, demand for, and supply of renewable resources from the Nation's public and private forests and rangelands, through analysis of environmental and economic impacts, coordination of multiple use and sustained yield opportunities as provided in the Multiple-Use Sustained-Yield Act of 1960 (74 Stat. 215; 16 U.S.C. 528-531).	
10	002	Cudia	Chris		Per the WCF, targeted systems are determined to be functioning at risk but there is little to no detail describing which functions are compromised and/or about the stressors responsible. Needless to say, a handful of in-stream structures and riparian fencing is unlikely to restore system functions. Especially if/when stressors have not been correctly identified, addressed, and/or	BA-1		The Federal Land Policy and Management Act of 1976, the Secretary of Agriculture, with respect to lands within National Forests in the sixteen [P.L. 95-914, 1978] contiguous Western States, [permits and leases for domestic livestock grazing] shall be for a term of ten years subject to such terms and conditions the Secretary concerned deems appropriate and consistent with the governing law, including,	

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					previously eliminated from the scope altogether.			<p>but not limited to, the authority of the Secretary concerned to cancel, suspend, or modify a grazing permit or lease, in whole or in part, pursuant to the terms and conditions thereof, or to cancel or suspend a grazing permit or lease for any violation of a grazing regulation or of any term or condition of such grazing permit or lease.</p> <p>Since changes to permitted grazing occur when the Forest Service administers Term Grazing Permits, changes in permitted livestock use are not within the scope of this EA (see also the response to PA-1 above).</p> <p>Impacts to riparian areas are addressed under the Water and Riparian Resources section in Chapter 3 of the EA. The Forest Service acknowledges that impacts to riparian areas can occur from livestock grazing as well as other forest uses. For example, in Chapter 3, <i>Water and Riparian Resources, Riparian and Wetland Vegetation</i> of the Final EA, the analysis recognizes stressors to riparian areas are similar on the three National Forests: “Many riparian areas in the project area are at risk, as described in the assessment reports for the three national forests (USFS 2015a, 2015b, and 2016). Degradation is largely a function of legacy issues related to livestock use, water development and diversion, roads, and developed and dispersed recreation.”</p> <p>Similarly, effects to riparian and aquatic-dependent species (such as the New Mexico meadow jumping mouse, southwestern willow flycatcher, Rio Grande cutthroat trout, Rio Grande chub, Rio Grande sucker, boreal toad, and northern leopard frog) have been addressed through Endangered Species Act Section 7 consultation associated with the project. Restoring the ecological function of riparian, aquatic, and wetland systems often requires active management activities to increase the pace of recovery. The overall effect to species aquatic and riparian habitats is beneficial and will aid in the conservation of these species and their habitats. However, implementation of activities that move these systems toward a healthy and resilient desired condition may result in short-term impacts to species and their habitats. Therefore, the Forest Service developed or included Conservation Measures from previous projects and incorporated them into the proposed action to assist in minimizing or eliminating adverse effects to species and their habitats during project implementation.</p>	
60	017	Trudeau	Joe	Center for Biological Diversity	The DEA is correct in stating that “In general, riparian ecosystems on the Carson National Forest are currently at risk, and future impacts from uncharacteristic fire, drought, and climate change will stress them further.” ² As the DEA states, “Predicted climate change for northern New Mexico could include reduced surface flows, less open water, shifts to earlier peak flows especially for streams with a large snowmelt component, decreased riparian habitat and narrowed riparian corridors, increased stream temperatures, and reduced vegetation cover. This would be due to a decrease in available water, longer droughts, and fewer mature trees.” ³ Why, then, does the DEA ignore the evidence we provided that livestock grazing and climate change interact synergistically to further imperil riparian ecosystems?	BA-1			
73	017	Trudeau	Joe	Center for Biological Diversity	We even read GTR-142, which the Forest Service produced, and which we cited, and which the DEA ignored. The same can be said for Poff, Krueper, and a dozen other Forest Service scientists that we cited in our scoping comments and which do not appear in the DEA.	BA-1			
65	017	Trudeau	Joe	Center for Biological Diversity	The vast majority of published science is clear that grazing in southwestern riparian areas is devastating in short and long term ways. Furthermore, when citing NRCS 2016, the Forest Service stretched the facts to a point far beyond reason, as that document never uses the word “riparian,” “stream,” “creek,” or “river.” So, please explain how the conclusion of benefits to riparian areas was drawn.	BA-1			
66	017	Trudeau	Joe	Center for Biological Diversity	This document (FAO 2006) is titled “Livestock’s Long Shadow: Environmental Issues and Options,” and the chapter cited is called “Livestock’s Role in Water Depletion and Pollution.” In any subsequent NEPA document, the Forest Service must identify	BA-1			

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
					specifically the manner in which these two cited sources support the claim in the DEA that “When properly managed, however, prescribed livestock use successfully manipulates vegetation, and subsequently riparian and wildlife habitats.” ¹⁵			<p>The design criteria in Appendix B contain numerous measures to reduce potential impacts to riparian habitat that is disturbed as a result of the proposed activities, such as restoring these areas by planting and/or seeding with native species following disturbance. Conservation measures have been developed for each of the above-listed species. For example, conservation measures to reduce potential impacts to New Mexico meadow jumping mouse (NMMJM) include: surveying riparian areas within the range of the species for the presence of NMMJM prior to commencing restoration activities in the area, and limiting the number of workers to the maximum of 3-4 people per site while working in NMMJM cattle exclosures during the active season (May through October).</p> <p>With regard to effects on riparian areas from climate change, the EA states that such changes would increase the vulnerability of riparian and water resources to degradation over time; however, the proposed action, combined with other management activities on NFS lands, is designed to increase the resiliency of riparian, aquatic, and wetland resources to climate change. Further, the Final EA in Chapter 3, <i>Grazing Management, Environmental Consequences, Cumulative Effects, Spatial and Temporal Context for Effects Analysis</i> also acknowledges impacts to grazing as a result of climate change, stating that “changing landscape conditions due to climate change will require adaptation in rangeland management to allow for increases in the amounts of grassland under conservation and for grazing.” On that same page, the document also addresses adverse cumulative impacts to rangeland management: “Riparian restoration activities under the proposed action, combined with the aforementioned other ongoing and foreseeable activities, and considered within the context of changing landscape conditions due to climate change, would not result in adverse cumulative impacts.”</p> <p>It is recognized that livestock grazing is authorized and managed by existing law, regulation, and policy. As stated under Purpose and Need in Chapter 1 of the Final EA: “There is also a need to increase the pace and scale of riparian, wetland, and aquatic ecosystem restoration by providing a more efficient process for implementing projects that would aid in the recovery of threatened, endangered, and sensitive species, their associated habitats, watershed health, and water quality.”</p>	
40	013	Witte	Jeff	New Mexico Department of Agriculture	On page 2, “grazing” is listed as a stressor to riparian, aquatic, and wetland areas. This should be changed to “improperly managed grazing” in recognition that properly managed grazing practices are consistent with healthy ecosystems.	BA-1			
41	013	Witte	Jeff	New Mexico Department of Agriculture	On page 102, the Forest Service writes that “Past and present agriculture, water development, transportation, utility rights-of-way, ranching, and grazing in the watersheds have likely affected cultural resources through direct impacts or degradation of resource values.” This sentence burdens agricultural activities three times with the responsibility for degraded resource values. Instead, it should be simplified to identify “improperly managed grazing” as a cause of degradation rather than “Past and present agriculture,” “ranching,” and “grazing in the watersheds.”	BA-1			
05	002	Cudia	Chris		There would be no need for this action if said management issues were sincerely addressed where they actually originate-within the Range program for instance. Unfortunately the USFS continues to avoid addressing this long-standing management issue within the program it occurs. Rather than hold the offending program accountable, this effort endeavors to once again pass the buck to another program and its cadre of outside partners who will come in after-the-fact with their floppy hats and alternative funding sources to treat symptoms.	BA-1			

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								<p>FAO 2006 notes the effects of properly managed livestock production; “If properly managed, nomadic pastoral livestock production is potentially the most environmentally compatible agricultural activity in this ecosystem. One of the main threats to biodiversity in pastoral ecosystems is the breakdown of traditional adaptive and flexible management strategies developed by pastoral communities to optimize the use of temporally and spatially variable natural resources” (Livestock’s Long Shadow p. 260).</p> <p>Further, the adaptive management philosophy to adjust to changing circumstances to support properly managed livestock production is supported by FAO 2006, which is cited in the EA. As stated under the affected environment in Chapter 3, <i>Grazing Management</i> of Final EA, “Livestock management on NFS lands has shifted to an adaptive management philosophy that allows appropriate seasonal changes in livestock numbers (increases and decreases) or seasons of use, in response to changing ecological conditions (e.g., forage production, water availability, and precipitation patterns).” This is codified under current Forest Service Handbook (FSH) Regulations under FSH 2209.13 – Grazing Permit Administration Handbook Chapter 90 – Rangeland Management Decision Making which focuses on “NEPA-based decisions, and the implementation of those decisions regarding rangeland management and livestock grazing with an objective of achieving and maintaining desired rangeland conditions on National Forest System lands” (FSH 2209.13; Chapter 90). Chapter 90 recognizes adjustments in stocking rates have been made for the needs of listed species under ESA, and requirements for clean water and cultural artifacts, and is a dynamic process which is continually refined.</p> <p>The best available science was used relevant to the proposed action and analysis. There is an abundance of literature on riparian restoration, and the agency made every attempt to take a “hard look” with the best available science and subject matter expert knowledge developing the proposal and assessing impacts as required by CEQ regulation and guidance.</p> <p>NRCS 2016 explains that, depending on the level of intensity, livestock grazing can affect root production and water infiltration and absorption. It also describes best practices for ensuring rangeland health, suggesting that when properly managed, prescribed livestock use successfully</p>	

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								<p>manipulates vegetation and, by association, riparian and wildlife habitats.</p> <p>The Grazing Management section in Chapter 3 of the Final EA does not state that there would be benefits to riparian areas from grazing. It should be noted however that Van Horn et al. (2012) found that the elimination of grazing can suppress instream nutrient processing and suggest that the exclusion of ungulate grazing impacts terrestrial characteristics (increased standing vegetative biomass) that are linked to ecosystem services provided by adjacent aquatic ecosystems (reduced nitrogen uptake).</p> <p>The Grazing Management analysis asserts that, over the long term, riparian restoration proposed under the Restoration Project would result in improved rangeland and forage. Enhanced watershed and range health would occur as a result of the restoration of riparian, wetland, and associated upland habitats, which would promote species recovery and diversity, allowing for sustainable grazing.</p> <p>The Forest Service reviewed General Technical Reports 142, 269, and 272 while developing the EA; however, the information and analysis included in those reports did not substantively add any information not already considered or disclosed in the effects analysis.</p>	
50	016	Wunder	Matt	New Mexico Department of Game and Fish	Page 19, Table 2-5. Considerations for riparian habitat assessments include the Regional Riparian Mapping Project and Riparian Existing Vegetation datasets to identify habitats that do not meet desired conditions. Natural Heritage New Mexico is currently developing a state-wide riparian habitat map (Muldavin et al. 2020) that may also help to identify and prioritize restoration sites.	BA-2	A new state-wide riparian map is under development and could be used to help identify and prioritize restoration sites.	Table 2-5 has been revised to mention other applicable riparian datasets that are developed.	Revised Table 2-5 to include: "RMAP and REV datasets, as well as other applicable riparian datasets that are developed.."
02	002	Cudia	Chris		According to the Integrated 303d/305b report (NMED 2019), grazing is the dominant probable source of degradation for waters of the US/State. There is a massive body of research that corroborates this. The Draft EA provides no evidence that degraded conditions were caused by a lack of artificial structures scattered about the landscape yet that is largely the thrust of this effort.	BA-3	The Draft EA does not provide evidence that degraded conditions are caused by a lack of artificial conditions; in fact, grazing is the likely probable source of degradation.	In the EA, there is no intent to state that degraded conditions, or as the Final EA states in Chapter 1, <i>Purpose and Need for the Proposal</i> that across the three national forests, 57 percent of the subwatersheds are impaired or functioning at risk, are caused by the lack of artificial structures.	None.

Riparian Vegetation

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
57	016	Wunder	Matt	New Mexico Department of Game and Fish	B-41, Legacy Structure Removal. This section should also include consideration of impacts to overbank flooding and impact on riparian vegetation.	RV-2	The Forest Service should refine the conservation measure for legacy structure removal to avoid additional impacts on riparian vegetation.	The intent of the measure is to improve overbank flooding and hydrological connectivity. Some legacy structures could be considered historic properties and it may not be feasible to change these.	None.

Water Resources

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
107	024	Schmidt - Petersen	Rolf	New Mexico Interstate Stream Commission	The Draft EA has no discussion of project impacts to State water administration, water management and operations	WR-1	The Forest Service should include additional discussion and analysis related to water resources.	The activities proposed in the EA are common riparian, aquatic, and wetland restoration activities used by the Forest Service and its partners to address issues of stream, riparian, and wetland health on the three national forests and national grassland. Restoration activities are described in detail in the Final EA (Chapter 2, <i>Alternative B, Proposed Action, Potential Project Categories</i>) and the number and extent of expected projects are detailed in Table 2-4 (Final EA in Chapter 2, <i>Alternative B, Proposed Action, Number and Extent of Projects</i>). Many of the restoration activities proposed have been implemented on the forests over the past 5-10 years and have been found to cause only minor effects to soil, water, riparian, and wetland resources during installation and many positive effects to the condition and function of these resources have resulted from their implementation. All projects will comply with applicable federal, state, and local laws and policies (Final EA in Chapter 1, <i>Issues</i>).	None.

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
108	024	Schmidt - Petersen	Rolf	New Mexico Interstate Stream Commission	There is also not sufficient information in the Draft EA effects analysis about proposed water operation, diversions and mitigation measures for the NMISC to determine whether the projects complies with State law. Specifically, the Draft EA does not provide detailed analysis and modeling of the effects the proposed projects' diversions and mitigation measures will have on local depletions of water, downstream surface flows in the Upper Rio Grande Basin, and the potential for impairment of downstream senior water right owners.	WR-1		The purpose and need for this project is defined in Chapter 1 of the Final EA (pgs 3-4). Project Categories and proposed project types are described in Chapter 2 (Chapter 2, <i>Alternative B, Proposed Action, Potential Project Categories</i> of the Final EA) and Project Design Features associated with each Project Category are detailed in Appendix B of the EA. The intent of this project proposal is to manage the composition and productivity of key riparian vegetation, protect or enhance wildlife habitat for riparian-dependent species, improve or maintain non-stream associated riparian and wetlands (seeps, slope wetlands, springs, fens, bogs, and wallows) together with their associated vegetative structure, and maintain or enhance water quality and wildlife and aquatic habitat through instream, riparian and wetland/upland improvements. Very few of these proposed activities remove or divert water from stream channels (exceptions may be stock tanks, livestock wells, etc.). These proposed activities have been demonstrated to improve the physical, hydrological, and biological conditions of these resources to achieve resiliency to disturbance events and provide for long term sustainability of water into the future. However, several design criteria were developed in response to this concern of potential infringement on water rights (see the Final EA, Appendix B under Design Criteria Applicable to All Project Categories). The design criteria require identifying water rights that could be affected by a project and designing and implementing projects to prevent injury of valid water rights.	Added design criteria regarding water rights into Appendix B under Design criteria applicable to all project categories.
109	024	Schmidt - Petersen	Rolf	New Mexico Interstate Stream Commission	Based on its review of the Draft EA, the NMISC is concerned that the proposed action could have detrimental impacts upon downstream management and administration of water on the Rio Grande and its tributaries for Rio Grande Compact compliance if the impacts are not appropriately offset and permitted. These concerns include, but are not limited to, projects that divert water and put that water to use for different purposes and at different places of use; and new depletions caused by temporary holding ponds, wildlife ponds, tanks and wetlands. Such activities and projects may be subject to compliance with State Engineer rules and state statutes and may require permits from the Office of the State Engineer. Accordingly, the NMISC suggests that the USFS confer with the District 6 Office of the State Engineer at 505-	WR-1		As outlined above, this project proposal and proposed improvement activities are not intended to infringe upon the rights of downstream water users or interfere with the NM Office of State Engineer and Interstate Stream Commission administration of water rights, water management, and operations in the Rio Grande basin. Any activities implemented that require compliance with state statutes will be closely coordinated with the New Mexico Interstate Stream Commission and appropriate permits sought and obtained. Improvement of the physical, hydrological, and biological conditions of these resources to achieve resiliency to disturbance events and provide for long term sustainability of water into the future is the goal of this proposal. Also, a new design criteria was developed in response to this concern of potential infringement on water rights (see Appendix B under Design criteria applicable to all project categories).	Added design criteria regarding water rights into Appendix B under Design criteria applicable to all project categories. Added discussion about water rights to Water Resources section in Chapter 3.

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
					827-6120 to work with them to minimize the impacts of the proposed action on State water resource administration and water management and operations, and file application(s) for permits as appropriate.				
68	017	Trudeau	Joe	Center for Biological Diversity	737“Increasing water scarcity is likely to compromise food production, as water will have to be diverted from agricultural use to environmental, industrial and domestic purposes.”17 Please explain how adding more wells and water withdrawals will not adversely affect diminishing supplies.	WR-1		<p>The EA includes fencing, stream crossings, pasture improvements, and off-channel wildlife/livestock watering as an element of the Potential Project Categories (see the Final EA Chapter 2, Alternative B, Proposed Action, Potential Project Categories): "Construct fences to protect aquatic restoration projects from other land uses and develop upland watering sources". In Table 2-5, the EA includes considerations used to determine the appropriate restoration tool based on site-specific conditions.</p> <p>The FinalEA (Chapter 3, <i>Water and Riparian Resources, Environmental Consequences, Alternative B: Proposed Action, Riparian and Wetland Vegetation</i>) cites improved conditions to Riparian and Wetland Vegetation through "Implementing riparian cattle grazing techniques and establishing upland water sources would improve riparian soils and allow for the recovery of riparian and wetland communities (George et al. 2011)” and improved stream temperatures are expected as explained in Chapter 3: "Riparian vegetation treatments and proper livestock grazing techniques would improve streamside shade by revegetating riparian areas and improving channel morphology as banks become more stable."</p> <p>Appendix B of the EA describes the project categories (see Final EA Appendix B, <i>Project Categories</i>) and notes in the</p>	None.

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
67	017	Trudeau	Joe	Center for Biological Diversity	In any subsequent NEPA document, the Forest Service must address how the NNMRAWR will alleviate the following problems listed in Chapter 4 of FAO 2006: • “One of the major challenges in agricultural development today is to maintain food security and alleviate poverty without further depleting water resources and damaging ecosystems. Projections suggest that the situation will worsen in the next decades, possibly leading to increasing conflicts among usages and users.” ¹⁶ Please explain specifically how the proposed action will avoid continued ecosystem degradation as so-called traditional users further deplete water resources and damage ecosystems.	WR-1		description "...and develop upland water sources such as trick tanks, upland wells, and stock tanks." Design features for Off-channel Livestock Watering Facilities (Appendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Fencing, Stream Crossings, Pasture Improvements, and Off-Channel Wildlife/Livestock Watering, Off-Channel Livestock Watering Facilities</i> of the Final EA) note: "Water withdrawals shall not dewater habitats or cause low stream flow conditions that could affect aquatic species or habitat", "Each livestock water development shall have a float valve or similar device, a return flow system, a fenced overflow area, or similar means to minimize water withdrawal and potential runoff and erosion", and "Consider using umbrella drinkers, trick tanks, wells, or other means to minimize livestock impacts on wetlands and riparian areas." Wells or direct water withdrawals are included in this category but with the design features noted above, other means of providing upland water sources (guzzlers, trick tanks, etc.) are alternatives to meet the need for livestock water while attaining improvement of stream, riparian and wetland resources.	
69	017	Trudeau	Joe	Center for Biological Diversity	“As previously described, the livestock sector is the world’s largest anthropogenic land user. The vast majority of this land, and much of the water it contains and receives are destined for feed production.” ¹⁸ Please provide a robust indirect effects analysis for the water used from rivers within the three national forests to produce forage for livestock.	WR-1		National forests are managed for multiple uses, including water, recreation, range, and wildlife. As explained in Chapter 1, <i>Background</i> , of the Final EA, the Carson, Cibola, and Santa Fe National Forests and Kiowa National Grassland occupy 4.8 million acres, of which riparian areas and wetlands occupy 197,700 acres. The purpose of this project is to maintain watershed health by restoring riparian, wetland, and aquatic habitats, fully described in Chapter 1, <i>Purpose and Need for the Proposal</i> , of the Final EA. This project proposes to conduct an estimated 2,000 acres of project annually across all project types and all three national forests and grassland (see Table 2-4). Effects to water are disclosed in Chapter 3, <i>Water and Riparian Resources, Environmental Consequences</i> , of the Final EA.	None.
70	017	Trudeau	Joe	Center for Biological Diversity	“Most of the water used for livestock drinking and servicing returns to the environment in the form of manure and wastewater. Livestock excreta contain a considerable amount of nutrients (nitrogen, phosphorous, potassium), drug residues, heavy metals and pathogens. If these get into the water or accumulate in the soil, they can pose serious threats to the environment” ¹⁹ Please explain how water quality will be improved if the Forest Service	WR-1		The objective of the project is not improved range management but, instead, improved riparian and aquatic conditions, and all project-related activities proposed are intended to meet that objective. The project aims to maintain and enhance watershed and range health by working in concert with other law, regulation, and policy to facilitate, and in many cases accelerate, the restoration of these systems. Restoration is defined as movement toward desired conditions, which are defined in the EA, and which are	None.

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					continues to refuse to remove livestock from riparian areas.			aspirational and do not include specific completion dates (per 36 CFR 219.7).	
71	017	Trudeau	Joe	Center for Biological Diversity	“High concentrations of nutrients in water resources can lead to over-stimulation of aquatic plant and algae growth leading to eutrophication, undesirable water flavour and odour, and excessive bacterial growth in distribution systems. They can protect micro-organisms from the effect of salinity and temperature, and may pose a public health hazard.” ²⁰ Please explain in detail how refusal to remove cows from riparian areas and streams is consistent with water quality objectives.	WR-1		As stated in the Final EA, in Chapter 1 under <i>Issue 1 – Livestock Grazing</i> , “Changes to permitted grazing are outside the scope of this effort.” This text has been augmented for clarity in the Final EA. (See also the response to PA-1 above). An analysis of impacts from the proposed action on water quality is provided in the Final EA, Chapter 3, <i>Water and Riparian Resources</i> .	
72	017	Trudeau	Joe	Center for Biological Diversity	“As presented in Chapter 2, the livestock sector is one of the major contributors to the soil erosion process. Livestock production contributes to soil erosion and, therefore, sediment pollution of waterways in two different ways: • indirectly, at feed production level when cropland is inappropriately managed or as result of land conversion; and • directly, through livestock hoof and grazing impacts on pastures.” ²¹ Please explain how erosion and water pollution will be abated without removing livestock from these systems.	WR-1			

Air Quality and Climate Change

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
100	022	Kenney	James	New Mexico Environment Department	Potential impacts of air emissions on nearby Class I areas should be evaluated. As a result, the effects on air quality from prescribed fire would be short term and localized near the prescribed fire area.	AQ-1	The EA should analyze the effects of prescribed fire on Class 1 areas.	As stated in Chapter 1, <i>Issue 6 – Water Resources</i> of the Final EA, "All projects will comply with applicable federal, state, and local laws and policies." Pre-project notification and coordination with regulatory agencies is described in Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation, and Monitoring, and Documentation</i> of the Final EA. Further, following the requirements of the New Mexico Smoke Management Program, 20.2.65.NMAC, are intended to reduce visibility at Class 1 Areas, under the Regional Haze Rule. Evaluation of impacts occurs during implementation of individual projects, as part of the steps required to comply with the rule.	None.

Fish and Wildlife

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
24	009	Jervis	Thomas	New Mexico Audubon Council	Our greatest concern with this proposal has to do with the management and protection of resident and migratory birds and their habitats . As we mentioned in our last letter, the legal and regulatory requirements are quite clear. Specific Conservation measure migratory Birds 1, General conservation measures 13 (Birds 2). And 14, (Birds 3) address these issues and are together a significant advance over past USFS practice. We applaud the intent of these measures and the attention given to these issues, which we have raised with respect to any number of Forest Service proposals on which we have commented. However, we feel the need to caution that once they begin nesting, bird’s nests are notoriously difficult to find (many stop singing) and their nests are generally very well camouflaged	FW-1	The Forest Service should refine conservation measures for fish and wildlife species to avoid additional impacts.	Surveys will be conducted in habitats for threatened, endangered, and sensitive species (including at-risk species of resident and migratory birds) prior to project activities. Several design criteria are incorporated into the proposed action to minimize or avoid short-term adverse effects to resident and migratory birds. The intent of the project to provide for the long-term benefits of restored riparian ecosystems. Although unintentional take of individuals may occur, measurable negative population-level effects are unlikely.	None.

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58	016	Wunder	Matt	New Mexico Department of Game and Fish	B-47, Mitigation Design Criteria – Channel Work and Revegetation. This section mentions sanitizing equipment, but does not provide any specifics. A similar statement appears on B-55. These sections should include specific references for decontamination procedures to prevent introduction or spread of non-native aquatic organisms and disease. The Department recommends Vikron or 10% bleach solution for disinfecting boots and equipment. The Partners in Amphibian and Reptile Conservation also provide additional recommendations for disinfection protocols available at http://www.northeastparc.org/products/pdfs/NEPARC_Pub_2014-02_Disinfection_Protocol.pdf	FW-1		Project design features for sanitation of equipment are outlined in Appendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Channel Reconstruction/Relocation and Off-Channel and Side-Channel Habitat Restoration, Mitigation Design Criteria</i> of the EA as follows: "Equipment being used in or near water shall be sanitized with, for example, a bleach-water spray solution and shall be free of aquatic species, such as rock snot and organisms that cause whirling disease", and "Personnel entering a water body shall sanitize their wading equipment, for example with a bleach water spray solution." This language adequately meets the need for sanitation of equipment, tools, waders, boots and other equipment that may serve to spread non-native aquatic organisms and disease. Text in the EA has been revised to state that the strength of the bleach-water solution would be 10% or equivalent.	Text in the EA has been revised to state that the strength of the bleach-water solution would be 10% or equivalent.
55	016	Wunder	Matt	New Mexico Department of Game and Fish	B-14 Conservation Measure for Amphibians. In addition to cleaning mud and debris from vehicles and heavy equipment, this section should reference disinfection protocols to avoid introduction of chytrid fungus or other diseases for any work within streams or within Jemez Mountain Salamander habitat.	FW-1			
56	016	Wunder	Matt	New Mexico Department of Game and Fish	B-40, Beaver Habitat Restoration. The Department supports the use of beaver dam analogs to restore floodplain connectivity, enhance wetland and riparian habitat complexity, and promote sustained beaver occupancy. We recommend that the design criteria mention ensuring adequate fish passage in beaver dam analog structures.	FW-1		The recommended language has been added to the design criteria (Appendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Beaver Habitat Restoration - In-Channel Structures</i>) for this restoration structure type.	Added an additional design criteria for Beaver Habitat Restoration - in-channel structures: "Ensure adequate fish passage in beaver dam analog structures". (Appendix B, <i>Activity-Specific Design Criteria, Instream, Side-Channel, and Floodplain Projects, Beaver Habitat Restoration</i>)

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
51	016	Wunder	Matt	New Mexico Department of Game and Fish	Page 45, Aquatic Organism Passage. The Department suggests rewording or removing the statement: “Further, there would be no chance of recolonization if a population upstream of the barrier is lost due to drought or fire”. Fish barriers are one of the most important tools available for restoring and maintaining native fish populations. The overall benefit of barriers to native fish restoration heavily outweigh any potentially negative impacts. In addition, mechanisms exist to reintroduce native fish to areas where populations decline or are extirpated above barriers following disturbance events.	FW-2	The Forest Service should clarify impacts related to fish from aquatic organism passage projects.	The text in Chapter 3, <i>Aquatic Wildlife – General and Special Status Species</i> , has been rephrased to acknowledge that native fish would need to be introduced if a population is lost to drought or fire. Such an action could be considered as a separate project in conjunction with the NM Department of Game and Fish.	The text in Chapter 3, <i>Aquatic Wildlife—General and Special Status Species</i> has been rephrased to acknowledge that native fish would need to be introduced if a population is lost to drought or fire but that such a reintroduction is not part of the proposed action.
80	018	Hanks	Garrett	Trout Unlimited	Aquatic Organism Passage Projects · Consider the positive benefits that culverts can provide as nonnative fish barriers	FW-2		The language used in the category of <i>Aquatic Organism Passage Projects</i> does not limit or eliminate the use of culverts as a non-native fish barrier. The use of a culvert as a nonnative fish barrier is best suited to a site-specific consideration and additional analysis if needed. The following text has been added to Appendix B under <i>Activity-Specific Design Criteria for Aquatic Organism Passage Projects</i> : “Before removing any fish passage barriers, the USFS shall assess the concern for nonnative fish passage and whether the barrier should remain in place.”	The following text has been added to Appendix B under <i>Activity-Specific Design Criteria for Aquatic Organism Passage Projects</i> : “Before removing any fish passage barriers, the USFS shall assess the concern for nonnative fish passage and whether the barrier should remain in place”.
90	021	Romero	Jeremy	National Wildlife Federation Cosigned by Jesse Deubel, NM Wildlife Federation	We ask the Forest Service to properly address the effects such restoration efforts can have in maintaining and restoring habitat connectivity.	FW-3	The EA should analyze how restoration projects affect habitat connectivity	Acknowledgement of the importance of riparian areas as movement corridors and refugia has been added to the background in Chapter 1 and environmental consequences for terrestrial wildlife in Chapter 3.	Acknowledgement of the importance of riparian areas as movement corridors and refugia has been added to the background in Chapter 1 and environmental consequences for terrestrial wildlife in Chapter 3.

Threatened and Endangered Species/Special Status Species

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
30	010	Jolly	Craig		On page 38 the draft EA, referring to the native Rio Grande Cutthroat Trout, states: "The USFWS determined in 2015 that listing under the ESA was not warranted." This assertion fails to acknowledge that in September of 2019, a federal court found that the USFW Service’s denial of ESA protections for the Rio Grande Cutthroat was arbitrary and unlawful, and that the Agency must reconsider listing under the Act. This EA must therefore be amended to correct its current inaccurate characterization of the Rio Grande Cuthroat’s ESA status, which in fact remains in process and is not it any way settled, as the draft EA implies. Furthermore, projects undertaken under this EA should be prioritized, designed, and implemented with an expectation that this ESA listing is in fact likely to occur.	SS-1	The Forest Service should fix errors in the EA regarding the affected environment for special status species.	The Rio Grande Cutthroat Trout is not currently proposed for federally listing or listed as endangered or threatened under the Endangered Species Act (ESA). This species is also not a candidate for federal listing at this time. The 2019 Federal Court case [Civil Action No. 16-CV-1932-MSK-STV] concluded "the 2014 Determination is VACATED IN PART and REMANDED to the Service [U.S. Fish and Wildlife Service] for limited purpose of explaining the Service's reason for concluding in 2014 that populations of less than 2,500 Trout can be considered stable and healthy. In all other aspects, the 2014 Determination is AFFIRMED ." There is no legal obligation for the Forest Service to analyze the effects, consistent with section 7(a)(2) the Endangered Species Act, to the Rio Grande cutthroat trout. The impacts to the species were analyzed consistent with the sensitive species policy of the Forest Service and numerous Conservation Measures were included in the proposed action to promote conservation of the species and to minimize and avoid impacts to individuals during project implementation. In fact, part of the purpose and need for this project is to "Provide the necessary habitat to maintain or increase populations of riparian- and aquatic-dependent species, such as...Rio Grande cutthroat trout...." [see Chapter 1, <i>Purpose and Need for the Proposal</i> of the Final EA]. The species is also considered in the Forest-wide Management Indicator Species Assessment for impacts to the species by the Santa Fe National Forest Land and Resource Management Plan. [see Chapter 3, <i>Aquatic Wildlife – General and Special Status Species, Management Indicator Species</i> of the Final EA; 2012 Santa Fe National Forest Management Indicator Species Assessment]. If, during the implementation stage of this project, the Rio Grande cutthroat trout is listed as an endangered or threatened species under the ESA, section 7(a)(2) consultation under ESA will be initiated to determine the effects to the species.	None.

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
31	010	Jolly	Craig		On page 52, in reference to the Southwestern Willow Flycatcher (<i>Empidonax trailii extimus</i>), the EA refers to SWFL presence and habitat only on the Carson National Forest. However, the Bureau of Reclamation's 2017 Middle Rio Grande Southwestern Willow Flycatcher Study Results explicitly identifies the Frijoles Reach, a section of the riparian corridor of White Rock Canyon whose east bank is included within the Santa Fe National Forest's Espanola District, as high quality SWFL habitat	SS-1		The Rio Grande at the Frijoles Reach in White Rock Canyon is not within designated critical habitat for the southwestern willow flycatcher. Past surveys have not detected breeding southwestern willow flycatchers along this reach of the Rio Grande. Therefore, the Forest Service does not consider this reach to be occupied. If, however, activities are proposed in this area, pre-implementation surveys will occur for the flycatcher (See Conservation Measure #2 for the Southwestern Willow Flycatcher, Appendix B, <i>Design Criteria Applicable to All Project Categories, Species Specific Conservation Measures</i> of the Final EA). If breeding flycatchers are detected, re-initiation of consultation will be needed. The proposed action is also undergoing ESA section 7(a)(2) consultation with the U.S. Fish and Wildlife Service.	None.
32	010	Jolly	Craig		The EA should must therefore be amended to include the Santa Fe National Forest as additional Southwestern Willow Flycatcher habitat within the proposed project area.	SS-1		The southwestern willow flycatcher has been analyzed within the biological assessment and undergoing consultation with the Fish and Wildlife Service. The results of the consultation will be incorporated into the decision document for this proposed action.	None.
54	016	Wunder	Matt	New Mexico Department of Game and Fish	B-12 Conservation Measure for New Mexico Meadow Jumping Mouse. This section should include specific measures to avoid impacts to overwintering hibernation sites.	SS-2	The Forest Service should refine conservation measures for special status species to avoid additional impacts.	Activities that may impact overwintering hibernation sites in the uplands are minimized by two conservation measures: Conservation Measure New Mexico Meadow Jumping Mouse 1—Identify suitable and potential New Mexico meadow jumping mouse habitat in the project area and protect habitat features where appropriate; and Conservation Measure New Mexico Meadow Jumping Mouse 2—All heavy equipment work will be discussed and planned with Forest Service biological staff before it is implemented in order to address each situation appropriately. Timing, frequency, and degree of disturbance are all unique to habitat quality, occupancy and topography of each site. Other general or activity-specific measures also ensure that ground-disturbing activities are minimized and restricted, where available, to existing disturbed sites.	

Tribal Interests and Traditional Cultural Resources

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
34	014	Bremer	Mike	THPO Pueblo de San Ildefonso	In Chapter 2 on page 21 in Step 3 please include tribal governments in the first sentence in the second paragraph and you might consider including acequia members as stake holders along with permittees.	TI-1	The Forest Service should include additional Tribal and acequia involvement in the EA.	The Forest Service has included notifications to tribal governments to the statement. Traditional stakeholders has been added to the sentence to include others such as acequia members.	Added "all required regulatory agencies and affected tribes... " Added stakeholders text to second paragraph as requested.
35	014	Bremer	Mike	THPO Pueblo de San Ildefonso	In Chapter 3 on page 96 in the Cultural Resources section the first complete sentence at the top of the page says "They include sacred sites and natural features significant to contemporary communities or peoples." Recommend changing to "They include sites and natural features of traditional and cultural significance to contemporary communities or peoples."	TI-2	The EA should be refined to better characterize the affected environment, improve conservation measures, and clarify the project implementation checklist related to tribal resources.	The Forest agrees with the sentence change to "They include sites and natural features of traditional and cultural significance to contemporary communities or people."	Change made as suggested by commenter.
36	014	Bremer	Mike	THPO Pueblo de San Ildefonso	In Chapter 3 on page 96 after the second full paragraph consider adding a reference to additional direction including Executive Orders 13007 and 13175 of which the 13007 refers to Indian Sacred Sites and 13175 refers to consultation and coordination with Indian tribes.	TI-2		Both Executive Orders 13007 and 13175 , as well as any other applicable Executive Orders, are covered in Chapter 3, <i>Cultural Resources</i> , first full paragraph, 2nd & 3rd line which states "This includes independent compliance with the applicable procedures and requirements of other federal and state laws, regulations, and executive orders."	None.
37	014	Bremer	Mike	THPO Pueblo de San Ildefonso	In Chapter 3 on page 101 at the top of the page the discussion focuses on historic properties because Section 106 focuses on them however not all places and practices that have traditional cultural significance fit the definition of historic properties and require some level of consideration. The is some concession by recognizing the potential for effects to visual, atmospheric and audible elements. Not sure what recommendation to make but there could be a situation where a	TI-2		The intent of this section is to indicate that the use of the cultural resource terminology is not necessarily inclusive of an area that has traditional cultural significance. To better incorporate areas with traditional cultural significance, Chapter 3 of the Final EA under <i>Cultural Resources</i> has been revised to incorporate the changing character.	Rephrased Chapter 3, <i>Cultural Resources, Environmental Consequences, Alternative B: Proposed Action</i> , last partial paragraph, first line to "Impacts on historic properties and areas with traditional cultural

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
					tribal community would come in and say that a location without any visible evidence of human use could be adversely affected by restoration activities.				significance include changing the character....".
38	014	Bremer	Mike	THPO Pueblo de San Ildefonso	In Appendix B staring on Page 17 are the Conservation Measures for Cultural Resources. The measures seem focused on Road Closure and Decommissioning. There are other activities associated with this project that would be of concern to the Pueblo and other communities. Water is life to pueblo communities and any activity that will affect the flow, generation or cycle of water within the ancestral domain is of interest. Of particular interest would be activities that have the potential to alter the condition of springs, seeps and wetlands. All of these have a high potential of figuring prominently in the traditional knowledge and practice of the community. It's possible that something viewed as potentially beneficial to a spring or seep could have an adverse effect on the condition or practice of a traditional or culturally significant place. These places would be prime locations requiring consultation and coordination with pueblos and other traditional communities. The timing of activities associated with restoration may be critical and could potentially affect traditional and cultural practices.	TI-2		The Forest recognizes the importance of water to pueblo communities and that any projects involving seeps, springs, and wetlands has the potential to impact the place. Each site-specific project, as they are defined and proposed, will comply with Section 106 of NHPA, the Region 3 Programmatic Agreement, and also consult with tribes and other interested parties. See Chapter 3, <i>Cultural Resources, Methods and Assumptions</i> of the Final EA.	None.

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
39	014	Bremer	Mike	THPO Pueblo de San Ildefonso	In Appendix C-Project Implementation Checklist on page C-1 would strongly encourage rewording the section on Heritage surveys. Would suggest rewording to ask Are cultural resource consultations and clearances complete. Also action may require more than just concurrence by the SHPO and may include concurrence from other entities resulting from tribal consultation. As an aside, once the Agency Official approves the cultural resource clearance the assumption is that it is consistence with concurrence by other entities such as the SHPO, the Advisory Council and consulting parties.	TI-2		The Project Implementation Checklist in Appendix C has been edited to include cultural resource clearances and tribal consultation.	Made the following changes to the checklist: 1. First section. The addition of "Partner consideration - Information on affected Tribes, stakeholders with traditional interests, and other interested parties being identified and notified. Appropriate correspondence and documentation will be included with the pre-project notification before project initiation. 2. In the second section the addition of "Has the consultation process been implemented with tribes?" and "Have comments from Tribes been received?". 3. Also in the second section change the current question pertaining to cultural resources to "Are heritage surveys complete?" and the addition of a second question of "Are cultural resource consultations and clearances complete?"

Land Use, Recreation, and Special Designations

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
87	020	Judycki	Linton	Red River Ski Area	Just as projects would be modified to address listed species habitat, we request that developed recreation resources within our permit area be considered in a similar manner. In-depth studies of lands within the SUP area that have been completed over the years could provide an excellent resource to identify and inform the consideration of areas for treatment. We are interested in supporting implementation of these projects in conjunction with ski area development projects where they can coexist.	LU-1	The Forest Service should collaborate with recreation permittees to reduce impacts from restoration projects on recreation operations. Recreation operations may have studies that may inform restoration projects.	The EA contains a notification step prior to project implementation. Step 3 - Pre-project Notification, in Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation, and Monitoring, and Documentation</i> of the Final EA, explains that: "Activities may be discussed with collaborative groups, working groups, local and state governments, and private stakeholders (including permittees)..." This would encompass recreation permittees as well. It is at this step in the process that data gathering or any project components potentially affecting recreation operations would be discussed. The Forest Service does not foresee a strong likelihood for project implementation conflict related to ski area permits. However, the Forest Service will work with all permit holders during site activity planning to minimize disruption to operations.	None.
89	020	Judycki	Linton	Red River Ski Area	Based on the effects to recreation resources, described on page 93 of the EA, we hope that a collaborative partnership would allow us to minimize impacts to our operation. Specifically, this could include taking on projects during off-seasons, reducing the need for closures outside of normal construction seasons, and avoid implementing projects that would hinder future ski area projects and operations as described in our Master Development Plan and annual operating plans.	LU-1			
114	028	Coleman	James	Mountain Capital Partners	we would like to recognize the proximity of our permit area to the Rio Pueblo and Management Area 14 that surrounds this waterway. This river provides a variety of social and environmental benefits to the area and we support potential projects to improve the condition of this river. However, as discussed above, we feel that restoration projects that occur in this Management Area should not supersede or prevent the development of projects in our primary Management Area, Management Area 16. Recreational projects within our permit boundary as well as restoration projects within Management Area 14 may both influence the condition of the Rio Pueblo and we feel that these projects need to be	LU-1			

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
					completed collaboratively and not designed to preclude the development of one another. Given adequate environmental analysis and proper project design, we believe both types of projects can be completed successfully.				
121	029	Abruzzo	Ben	Ski Santa Fe	Based on the effects to recreation resources, described on page 93 of the EA, we hope that a collaborative partnership would allow us to minimize impacts to our operation. Specifically, this could include taking on projects during off-seasons, reducing the need for closures outside of normal construction seasons, and avoid implementing projects that would hinder future ski area projects and operations as described in our Master Development Plan and annual operating plans.	LU-1			
122	030	Abruzzo	Ben	Sandia Peak Ski Area	Just as projects would be modified to address listed species habitat we request that developed recreation resources within our permit area be considered in a similar manner.	LU-1			
123	030	Abruzzo	Ben	Sandia Peak Ski Area	In-depth studies of lands within the SUP area that have been completed over the years could provide an excellent resource to identify and inform the consideration of areas for treatment. We are interested in supporting implementation of these projects in conjunction with ski area development projects where they can coexist.	LU-1			
119	029	Abruzzo	Ben	Ski Santa Fe	Just as projects would be modified to address listed species habitat, we request that developed recreation resources within our permit area be considered in a similar manner.	LU-1			

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
120	029	Abruzzo	Ben	Ski Santa Fe	In-depth studies of lands within the SUP area that have been completed over the years could provide an excellent resource to identify and inform the consideration of areas for treatment. We are interested in supporting implementation of these projects in conjunction with ski area development projects where they can coexist.	LU-1			
118	028	Coleman	James	Mountain Capital Partners	Based on the effects to recreation resources, described on page 93 of the EA, we hope that a collaborative partnership would allow us to minimize impacts to our operation. Specifically, this could include taking on projects during off-seasons, reducing the need for closures outside of normal construction seasons, and avoid implementing projects that would hinder future ski area projects and operations as described in our Master Development Plan and annual operating plans.	LU-1			
116	028	Coleman	James	Mountain Capital Partners	In-depth studies of lands within the SUP area that have been completed over the years could provide an excellent resource to identify and inform the consideration of areas for treatment. We are interested in supporting implementation of these projects in conjunction with ski area development projects where they can coexist.	LU-1			
115	028	Coleman	James	Mountain Capital Partners	Just as projects would be modified to address listed species habitat, we request that developed recreation resources within our permit area be considered in a similar manner.	LU-1			
125	030	Abruzzo	Ben	Sandia Peak Ski Area	Based on the effects to recreation resources, described on page 93 of the EA, we hope that a collaborative partnership would allow us to minimize impacts to our operation. Specifically, this could include taking on projects during off-seasons, reducing the need for closures outside of normal construction seasons, and avoid implementing projects that would hinder future ski area projects and operations as described in our Master	LU-1			

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
					Development Plan and annual operating plans.				
88	020	Judycki	Linton	Red River Ski Area	Lastly, we request that the analysis of recreation resources acknowledge ski areas. This could occur within the Recreation and Congressionally Designated Areas section of Chapter 3 – Affected Environment and Environmental Consequences, which describes different forms of developed recreation. Page 81 of the EA states, “The Carson National Forest has a variety of developed recreation facilities, including campgrounds, picnic areas, interpretative sites, fishing piers, overlooks, and trailheads.” Despite being one of the more prominent forms of developed recreation on the Carson National Forest, we note that ski areas are not explicitly mentioned.	LU-2	The EA should acknowledge impacts on ski areas in the recreation section.	The EA has been revised to include ski areas to the "Recreation and Congressionally Designated Areas" section in the EA under the description of each forest.	The EA has been revised to include ski areas to the "Recreation and Congressionally Designated Areas" section in the EA under the description of each forest.
117	028	Coleman	James	Mountain Capital Partners	Despite being one of the more prominent forms of developed recreation on the Carson National Forest, we note that ski areas are not explicitly mentioned.	LU-2			
124	030	Abruzzo	Ben	Sandia Peak Ski Area	Despite the mention of developed recreation, we note that no specific examples of these recreational activities are provided. We feel that specific examples of these activities, including ski areas and downhill skiing, should be included in the EA as is similar to the descriptions of recreation on the other ational Forests involved in the EA.	LU-2			

Livestock Grazing

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
07	002	Cudia	Chris		A more likely outcome is conflict as these actions are being imposed on range management rather than being integrated into them.	LG-1	The proposed action has the potential to cause conflict with livestock grazing and range management activities, and the Forest Service should include measures to reduce the likelihood for such conflicts.	Consultation and coordination with livestock permittees with active Term Grazing Permits is codified in existing law, regulation, and policy. One of the key statutory authorities codified in Forest Service Manual 2200 (R-3 Supplement 2200-2013-1) is the Public Rangelands Improvement Act (PRIA) of 1978 (43 U.S.C. §§1901 <i>et seq</i>); Section 8 directs the Secretaries to develop allotment management plans in careful and considered consultation, cooperation, and coordination with affected permittees, landowners, and States having land within the area covered. These allotment management plans include all range improvements and or other infrastructure, that may directly or indirectly affect the management of any given grazing allotment.	Added text to Scoping section in Chapter 1 about notifying permittees for this project through scoping.
42	013	Witte	Jeff	New Mexico Department of Agriculture	To ensure such cooperation occurs, NMDA recommends adding the following design criteria to the Technical Skill and Planning Requirements under General Aquatic Conservation Measures (Appendix B, page B-3): d) Planning and design includes consultation, coordination, and cooperation with livestock grazing permittees within the project area. This consultation will include efforts to minimize project disruption to livestock production while achieving restoration objectives.	LG-1	The Forest Service should also provide more detail on the administrative process and timeline for integrating grazing management enhancements described in the EA with range management strategies and clarify how the proposed action would improve livestock management but not change permitted grazing.	The Forest Service has coordinated and continues to coordinate with permittees and other land users. As stated in Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation, and Monitoring, and Documentation</i> of the Final EA; “It is important to note this does not replace or affect the collaborative nature in which the Forest Service’s aquatic restoration projects are typically conceived, planned, and implemented. As in the past, project collaboration with other interested parties would continue. Under this proposal, Forest Service staff would submit a project notification to all required regulatory agencies at least 60 days before the project is expected to begin. Activities may be discussed with collaborative groups, working groups, local and state governments, and private stakeholders (including permittees), based on potential interest, as determined by the district ranger or forest supervisor.” This collaborative intent is codified in all three National Forest Draft Forest Plans. For example the Cibola National Forest Draft Land Management Plan under Sustainable Grazing states; “Cooperate, collaborate, and coordinate with permit holders to respond to changing resource conditions. Cooperation, collaboration, and coordination among Cibola managers and permit holders is key to improving rangeland and forest conditions for multiple uses, moving towards desired conditions, and contributing to the socio-economic well-being of local communities. In addition, collaboration among stakeholders is important, including local communities; permit holders; and Federal, State, county, and local government entities.”	Added to bullet to Chapter 1, <i>Purpose and Need for the Proposal</i> “Coordinate riparian restoration projects with other Forest uses to improve rangeland and forage....”
43	013	Witte	Jeff	New Mexico Department of Agriculture	NMDA supports the EA’s allowance that permittees be allowed to use decommissioned roads for administrative purposes but requests the following changes to the text of the EA to minimize the disruption of proper grazing practices: 1. On page 78, the EA states, “Decommissioning of roads would not have impacts, as existing roads may be made a part of the term grazing permit and made available to permittees for administrative purposes.” NMDA requests that “may” be changed to “will” to assure permittees that this will be a required Forest Service policy. 2. NMDA requests the EA include assurances that such decommissioned roads will be maintained at a basic level to provide access for administrative purposes, including livestock management. As stated, the maintenance requirements of these roads are unclear.	LG-1			
44	013	Witte	Jeff	New Mexico Department of Agriculture	While temporary fencing may be necessary during project implementation, permanent exclosures within riparian areas and wetlands should be avoided whenever possible. Overreliance on fenced exclosures fractures	LG-1			

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					landscape connectivity, cuts off wildlife access to critical water sources, and imposes additional burdens on permittees. NMDA urges the Forest Service to consult with permittees on management alternatives to permanent fencing and cost-sharing arrangements for infrastructure.			To address concerns about the effects of unmanaged off-highway vehicles, the Forest Service published final travel management regulations for motor vehicle use on national forests and grasslands on November 9, 2005. The Travel Management Rule "... provides for a system of National Forest System roads, National Forest System trails, and areas on National Forest System lands that are designated for motor vehicle use. After these roads, trails, and areas are designated, motor vehicle use, including the class of vehicle and time of year, not in accordance with these designations is prohibited...". Travel Management Rule Region 3 Guidelines adopted in 2008, provided guidance for ingress and egress for permitted uses authorized under the "Travel Management Rule". It is the intent to collaborate with our stakeholders, in particular livestock permittees to allow access necessary for the execution and management of identified grazing allotments. With regard to permitted livestock grazing the following guidance was put into place: <ul style="list-style-type: none"> Forests should ensure that grazing permit holders are aware of the Travel Management Rule (TMR) and seek their input into the designated system, any single purpose road(s) or trails(s) access needs, and needs for general cross-country travel, related to their authorized grazing activities. As a critical component of allotment management, the implementation of the TMR should be conducted in careful and considered consultation with the grazing permit holder [Federal Land Policy and Management Act of 1976, Sec. 402 (d) (e)]. Motorized travel off the designated road system by grazing permit holders should be based on need related to carrying out required management practices, and compliance with the terms and conditions of Term Grazing Permits. Legitimate motorized use, including cross-country access, needed for conducting activities required under Term Grazing Permits will be authorized unless compelling natural and/or heritage resource issues such as those identified below require postponement or modification of the activity. Motor vehicle use in designated wilderness areas will continue to be managed consistent with the provisions of the Wilderness Act [Section 4(d)(4)(2)] 	
45	013	Witte	Jeff	New Mexico Department of Agriculture	Wherever exclusionary fencing is installed, the Forest Service must proactively consult with permittees on the development of alternative water access for livestock and wildlife. As the Forest Service itself acknowledges, "The sustainability of these fragile ranch economies depends on the availability of both water and productive land."2 Replacing excluded water sources is necessary to prevent an overconcentration of impacts in other riparian areas and disperse livestock and wildlife across the landscape. Consultation with permittees will ensure that new water infrastructure fits on-the-ground grazing practices and provide the maximum ecological benefit.	LG-1			
17	002	Cudia	Chris		Please describe the administrative process for formally integrating grazing management "enhancements" outlined in Issue 1 livestock grazing, i.e. "enhance the ability to manage livestock and reduce the impacts of livestock grazing", into range management strategies/AMPs. -Please provide the administrative timetable for formally integrating grazing management "enhancements" outlined in Issue 1 livestock grazing, i.e. "enhance the ability to manage livestock and reduce the impacts of livestock grazing" into range management strategies/AMPs. - Given that grazing is outside the scope of this decision, please describe how the above is being coordinated/accomplished outside of this administrative process.	LG-1			

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63	017	Trudeau	Joe	Center for Biological Diversity	The DEA provides many very well intentioned and effective tactics for restoration, but it also sows confusion. On one hand, it states that “Changes to permitted grazing are outside the scope of this effort” ⁹ but elsewhere it states that “In the long term ... improving livestock management and/or distribution to manage for desired riparian resources ... would expand riparian and wetland vegetation in watersheds” ¹⁰ So, which is it? Is the Forest Service going to change a permitted grazing system or not? The Forest Service continually refuses to address grazing in so-called restoration projects, but then takes the credit for improved grazing management.	LG-1		<p>that provides for limited exceptions for grazing livestock as further defined in the Congressional Guidelines (FSM 2323.22).</p> <p>Permittee access to manage allotments would be provided through a combination of the designated Forest system roads and other access needs identified in their 2230 Term Grazing Permit (hard copies filed at the respective District Offices).</p>	

NEPA

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
16	002	Cudia	Chris		Given that riparian condition and range management are inextricably linked, please explain how excluding grazing from the scope is not segmenting this action.	NE-1	By omitting livestock grazing management from the EA, the Forest Service is segmenting the proposed action.	Chapter 1, <i>Issue 1—Livestock Grazing</i> , has been revised to clarify why changes to livestock grazing are outside the scope of this effort and better explain how changes to grazing are implemented. Segmentation occurs when one federal action is divided and analyzed in smaller, separate components. The primary purpose of the proposed action is not improved range management but, instead, improved riparian and aquatic conditions. All project-related activities proposed, including constructing fences and developing upland watering sources, are intended to support in meeting that objective. Since riparian restoration and livestock grazing management are two separate federal actions, the EA does not segment any actions.	Chapter 1, <i>Issue 1—Livestock Grazing</i> , has been revised to clarify why changes to livestock grazing are outside the scope of this effort and better explain how changes to grazing are implemented.
12	002	Cudia	Chris		Given that grazing represents the main cause of riparian degradation, please explain why grazing is considered to be outside the scope of this decision.	NE-1			

Other Laws/Regulations

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
98	022	Kenney	James	New Mexico Environment Department	Prescribed burns should be coordinated with the Smoke Management Program and take reasonable measures must be taken ensure the desired objectives for air quality will be met, along with any issues associated with air quality monitoring.	OL-1	The Forest Service should coordinate with state agencies and follow applicable state, county, and local laws and policies.	As stated in Chapter 1, <i>Issue 6 – Water Resources</i> of the Final EA, "All projects will comply with applicable federal, state, and local laws and policies." Pre-project notification and coordination with regulatory agencies is described in Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation, and Monitoring, and Documentation</i> of the Final EA.	None.
106	022	Kenney	James	New Mexico Environment Department	Report all spills as required by state law. Implementation of the project may involve the use of heavy equipment leading to a possibility of contaminant releases associated with equipment malfunctions (e.g., fuel, hydraulic fluid, etc.). All parties involved in the project must be aware of notification requirements for accidental discharges as specified at 20.6.2.1203 NMAC, http://www.srca.nm.gov/parts/title20/20.006.0002.html .	OL-1			
103	022	Kenney	James	New Mexico Environment Department	To ensure air quality standards are met, applicable local or county regulations requiring noise and/or dust control must be followed.	OL-1			
104	022	Kenney	James	New Mexico Environment Department	Any asphalt, concrete, quarrying, crushing, and screening facilities that may be contracted in conjunction with any proposed projects in the management plan area must have current and proper air quality permits. Generators, light towers, and other stationary portable equipment powered by diesel, gasoline, or natural gas engines may require registration or an air quality permit if the emissions of any criteria air pollutant will exceed 10 pounds per hour and 10 tons per year. If the proposed project includes this type of equipment, please contact the NMED Air Quality Bureau Permitting Section to determine if a permit is required. For more information on air quality permitting and modeling requirements, please refer to 20.2.72 NMAC.	OL-1			

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
101	022	Kenney	James	New Mexico Environment Department	Construction activities must have air quality permits, if applicable, and reasonable measures must be taken to control emissions of ozone precursors, nitrogen oxides, volatile organic compounds, and fugitive dust.	OL-1			
99	022	Kenney	James	New Mexico Environment Department	The AQB requests close coordination for any planned burns in advance of those burns and as required by regulation, to ensure the desired conditions and objectives for air quality will be met, along with any issues associated with air quality monitoring. This coordination also assists in the issuing of timely smoke alerts and responding to citizen complaints.	OL-1			
105	022	Kenney	James	New Mexico Environment Department	Public water system (PWS) managers should be notified when activities may impact drinking water infrastructure.	OL-1		Public Notification is described in Chapter 2, <i>Alternative B, Proposed Action, Project Identification, Compliance, Public Notification, Implementation, and Monitoring, and Documentation</i> of the Final EA. Step 3 of the Five-step implementation process specifically addresses pre-project notification of regulatory agencies and other collaborators, local and state governments, and private stakeholders. Also, to promote internal awareness about potential impacts to drinking water, a question was added to the 2nd table in Appendix C's implementation checklist: "Has a watershed review been conducted to identify potential impacts on drinking water infrastructure?"	Added question to second table in Appendix C. "Has a watershed review been conducted to identify potential impacts on drinking water infrastructure?" Added text to the beginning of the checklist stating that the checklist should be adaptively used to address the particular needs of each project. The checklist as written may not meet all needs in all cases.

Relationship to Other Forest Service Plans

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
25	010	Jolly	Craig		<p>On page 6, under "Santa Fe National Forest—Goals and Desired Condition”, the first paragraph reads: "Achieve satisfactory condition in riparian ecosystems. Maintain areas that are currently in good condition.” Whereas the Carson National Forest presents both a detailed “vision” and a “desired future condition” incorporating substantive numerical goals and parameters, and the Cibola refers explicitly to the percentages of riparian areas that will see treatments and what those treatments will be, and the Kiowa presents two full pages of detailed desired conditions, down to the species-specific level, the Santa Fe National Forest’s desired condition is functionally meaningless. What exactly is the measure of “satisfactory condition” on this context? Or of “good condition”? Is “ satisfactory” condition the same as "good "condition, or something different? And “satisfactory” to whom and by what standard? These token phrases are scientifically and administratively meaningless , with no reference at all to any actual substantive goals and future conditions and providing absolutely no operational measure of direction, commitment, obligation, or accountability for the projects proposed under this EA</p>	FP-1	The desired conditions in the Santa Fe National Forest Plan need to be more detailed.	Changes to the 1987 Santa Fe National Forest Land and Resource Management Plan are outside the scope of this effort. However, as described In Chapter 1, <i>Forest Plan Direction</i> of the Final EA, "As of the writing of this EA, the Carson, Cibola (Mountains), and Santa Fe National Forest Land and Resource Management Plans are under revision and anticipate being finalized and implemented in 2021." The revised draft forest plan includes more detailed desired conditions.	None.

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26	010	Jolly	Craig		<p>It would thus stand to reason that the Santa Fe National Forest, which in these numbers stands out strikingly as the worst-performing of the three Forests and one Grassland included here, would have far more ambitious, precise, and explicit goals to strive for than a mere generic “satisfactory”. As is the case with the recent Forest Plan Revision documents for the Carson and the Cibola, the above-mentioned SFNF Plan Revision document Final Assessment Report Volume I. Ecological Resources contains recent and detailed field assessments of the existing and ongoing damage wrought by an acknowledged Forest history of poorly managed livestock grazing and an excessive and poorly managed road system. The Santa Fe National Forest</p> <p>thus has no excuse for failing to provide in this section qualitatively and numerically explicit goals and desired conditions for the projects that particular Forest envisions and proposes under this EA, to the standard the Carson and Cibola have. Furthermore, to accurately and assess the environmental effects of this project on the Santa Fe National Forest, the public requires exactly that. Given the above, the Santa Fe National Forest portion of this EA’s formulation of “Goals and Desired Conditions” is insufficient and needs substantial and explicit qualitative and numerical amplification.</p>	FP-1			

Public Outreach

Comment Number	Submission Number	Last Name	First Name	Organization (If Applicable)	Comment	Concern statement number	Concern Statement	Response	Change made to EA
110	026	Schrader	Rich	RiverSource	We suggest that community-based engagement and education is mentioned with more emphasis and details in the final version.	PO-1	The EA should include more details about community-based engagement and education.	Structured community-based engagement and education are out of the scope of this effort. However, these aspects of restoration are encompassed by the desired conditions for recreation in the draft Forest Plans and in the Kiowa Grassland Plan (see Chapter 3, <i>Cultural Resources, Desired Conditions</i> of the Final EA). Broader direction provided by	None.

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								the Forest Plans would guide restoration projects that are implemented through this EA.	